


<p style="text-align: center;"> YANKEE SPRINGS TOWNSHIP PLANNING COMMISSION Regular Meeting Thursday, March 20, 2014 Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333 </p> <p style="text-align: center;">MINUTES</p>	<p> FINAL MINUTES Page 1 of 4 Approved as presented: Apr. 3, 2014 APPROVED:  </p>
<p>Meeting called to order at 7:00 PM by Chairman Frank Fiala.</p> <p><u>PLEDGE OF ALLEGIANCE</u></p> <p><u>Roll Call</u>: Present: Cunningham, Beukema, Campbell, Purcell, Strickland and Fiala.</p> <p><u>Staff Present</u>: Zoning Administrator Larry Knowles, Mark Englerth, Sandy Marcukaitis.</p> <p><u>Visitors</u>: 2</p>	<p> CALL TO ORDER PLEDGE ROLL CALL </p>
<p>ADDITIONS OR CORRECTIONS TO AGENDA:</p> <ul style="list-style-type: none"> • None. 	<p>ADDITIONS TO AGENDA</p>
<p>PUBLIC COMMENT: None.</p>	<p>PUBLIC COMMENT: None.</p>
<p>APPROVAL OF MEETING MINUTES:</p> <p>Motion by Beukema with support from Campbell to accept the March 6, 2014 PC meeting minutes as presented. All ayes. MOTION CARRIED.</p> <p>Motion by Beukema with support from Strickland to accept the February 6, 2014 PC meeting minutes as presented. All ayes. MOTION CARRIED.</p>	<p>APPROVAL OF MTG. MINUTES</p> <p>Motion to accept the Feb. 6 and March 6, 2014 PC meeting minutes as presented. MOTION CARRIED.</p>
<p><u>NEW BUSINESS:</u></p> <p><u>Article XII Discussion with Ken Kornheiser of Prairieville Township and Jim McManus of Barry County:</u></p> <p>Frank Fiala, PC Chair, gave background information of the Planning Commission and its activities and goals leading up to tonight's meeting. Fiala explained the density of the township's population being RLF (Residential Lake Front).</p> <p>Fiala commented that tonight's goal was to have special speakers with a strong background and valuable experience in dealing with RLF. The special speaker, Ken Kornheiser is from Prairieville Township where he will be retiring on March 28 with almost 30 years of practicing Veterinarian Medicine. K. Kornheiser was PC Chairman in Prairieville Township for 14 years. He is still very involved in land use and water issues. He is currently the president of the Four Township Water Resources Council which encompasses the four townships around Gull Lake. He has stayed involved with these issues for 20 years after his involvement with the PC.</p>	<p><u>NEW BUSINESS</u></p> <p>Article XII Discussion with:</p> <p><u>Ken Kornheiser of Prairieville Township</u></p> <p><u>Jim McManus, Planning Director of Barry County</u></p>

Article XII Discussion with Ken Kornheiser of Prairieville Township and Jim McManus of Barry County: cont'd

Jim McManus, has been the Planning Director with Barry County since 1994. His undergraduate degree is in Meteorology and his master's degree is in GIS -Geographic Information Systems. When J. McManus came to Barry County he worked with mapping. McManus is AICPP certified since 1995 and also is a part time instructor at WMU teaching Planning Law and Methods of Planning Analysis and other geography courses. He mentioned that Barry County has been ahead of the game "ordinance" wise. Medical marijuana and fracking, however, are not included in their zoning ordinance.

PC members introduced themselves and mentioned the experience/background they've brought to the Planning Commission, as well as their area of residence within the township, i.e. residential lakefront, or rural.

Discussion began on a majority of the Article XII items listed on the township hall whiteboard:

- Lot Coverage - RLF (Residential Lakefront) and RSF (Residential Single Family).
- Lot Size -
- Non-conforming - (> 50%)
- Residential Structure - (Height maximum allowed and number of stories).
- Granny Flats - (720 sq. feet - first floor)
- Outbuildings - (Maximum sq. foot size & height)
- Fences & Decks - (Less than 18 inches)
- Sideline setbacks - (10%)
- Lots, Parcels, Plat books vs. Warranty deeds -
- Lakefront setbacks -
- Outdoor wood burners
- Sheds & Boat houses - (in front yards)
- Signs - (setbacks, height, electronic, LED, non-conforming, gateway)

Lot Coverage- Fiala summarized the ordinance in regards to impervious surface. J. McManus brought up fires that have skipped property lines. He also mentioned that he is getting a lot of lot coverage variance requests. K. Kornheiser mentioned the problems of run-off of not only into a neighbor's yard, but run-off into the lake. Kornheiser brought up that the PC needs to determine its objectives and its constituency (i.e. long-time residents or newcomers?), and then develop its strategy. McManus mentioned that if the ZBA is doing too much work, you need to fix it (ordinance).

Non-conforming Use- The ordinance says if a home is more than 50% destroyed it must be rebuilt following the ordinance. "Intent" of this ordinance was discussed. Kornheiser commented that there is a distinction between non-conforming dimensions and non-conforming uses.

Residential Structure- (Height maximum allowed and number of stories)- currently 35 feet is the maximum height allowed. Run-off and gutters were mentioned as well as fire protections services discussed. M. Englerth mentioned that the state has regulations on this issue already incorporated in our (YS) ordinance. Building codes are involved in regulating this as well.

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Article XVII Discussion

Granny Flats - (720 sq. feet – first floor) - Extended families, rental properties, attachments or connections of main residences to accessory buildings (making them additions to the house) were mentioned.

Outbuildings - (Maximum sq. foot size & height, and quantity) discussed along with Granny Flats. McManus mentioned that their ordinance for outbuildings is that buildings can be up to 150% of the home and no more than two per lot. McManus said a platted lot is a potential building site which a house can be built on. Height is 45 ft. maximum. Linkage of lots was mentioned as well. The most common request of Prairieville Twp. is for accessory buildings.

Lakefront setbacks – Riparian view rights were discussed. Former court rulings and legal advice was noted. Setback allowances were discussed as well.

Fences & Decks – (Less than 18 inches) Obstruction of view discussed. It was mentioned that courts have traditionally sided with complainants.

Sideline setbacks – (10%) Discussed briefly.

Lots, Parcels, Plat books vs. Warranty deeds – combining of parcels to make one parcel was mentioned. A consistent reference system is desired. J. McManus commented that “lot” and “parcel” were used as separate terms with different meanings. McManus didn’t recommend using tax ID numbers to identify parcels. McManus also commented that in the near future, anything that happened before 1974 may or may not be easily located.

Outdoor wood burners- Not desired in dense lakefront areas. It was mentioned that it is difficult to be restrictive with this issue.

Sheds & Boat houses – (in front yards) Communication with neighbors is stressed for structures to be built under a certain size. Definition of “structure” needs to be considered. Docks are DEQ issues (in water). Boat houses attached to seawalls are considered DEQ issues as well.

Signs – (setbacks, height, electronic, LED, non-conforming, gateway) J. McManus commented that he would classify some signs as “billboards”. McManus commented that they didn’t regulate billboards, adding that billboards are an MDOT managed permit. MDOT requirements must be met for these billboards. Oversized off-premise signs are what McManus classifies as billboards. Quantities of off-premise signs allowed were discussed. Directional signs and right-of-way sign installations were mentioned. McManus advised to minimize the negative effects of electronic signs. The technology for electronic signs changes so rapidly that it is impossible at this point to update an ordinance for electronic signs in a timely manner. Brief discussion took place regarding gateway signs at the end of the meeting.

Other items discussed:

Marketing strategies/promoting a positive township image:

K. Kornheiser commented that the most important thing that his planning commission did was not to make people abide by time limits when giving a public comment. He mentioned people thanking the PC even after the PC had denied the resident’s request.

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The person thanked the PC for allowing them (the resident) to have their say and not cutting them off because of time limits during the public comment period of the meeting. McManus commented that being friendly and pleasant is always helpful as well as having responsive staff that will not delay answering inquiries. McManus commented that he tries to talk with people and talk to them about their situation, look at other options, and be upfront with them if their request will not work out.

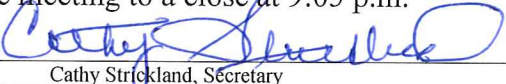
How much detail in an ordinance is too much detail? McManus commented that the twp. ordinance should cover 95% of what the township has and the other 5% would go to the ZBA. Kornheiser commented that it goes back to what the Planning Commission's objectives are. Ordinances should support what is important to the planning commission.

The issue of enforcement and complaint-driven enforcement: Most everything has fallen into place with good, logical information in the past year according to Fiala. Fiala commented how the PC is in the role of an economic development advocate. Fiala added that it is difficult for the advocate to be the person who does the enforcement. Kornheiser commented that the PC is not an advocate and that being an advocate is not the role of the PC. "You are not acting on the behalf of individuals to further their economic well-being except in so far as you create good rules that promote that," added Kornheiser. McManus commented "If you have to have people ask for variances to make a businesses expand, you need to rewrite your ordinances. What companies should do is bring you (PC) a text amendment for the district that it is in and see if it makes sense." Kornheiser added "Making good rules is how you to do it. You don't stick up for some individual." McManus commented that an obvious violation can't be ignored just because there isn't a complaint. McManus mentioned that they take anonymous complaints. The health department will ask for more information from the complainant before they check it out. McManus commented they keep a log of complaints.

Plat restrictions vs. zoning restrictions- It was brought up that the Zoning Administrator doesn't have anything to do with plat restrictions. The ZA can only enforce zoning restrictions. Land splits involving plats were discussed.

ADJOURNMENT:

Fiala thanked tonight's special speakers, Ken Kornheiser and Jim McManus, and brought the meeting to a close at 9:05 p.m.

Approved by:  Date _____
Cathy Strickland, Secretary

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ADJOURNMENT

Deb Mousseau
Recording Secretary
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