

<p style="text-align: center;"> YANKEE SPRINGS TOWNSHIP PLANNING COMMISSION ZOOM Meeting due to COVID-19/Executive Order from Governor 6:30 p.m. Thursday, May 28, 2020 Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333 </p> <p style="text-align: center;">MINUTES</p>	<p> MINUTES Page 1 of 9 PC APPROVED: _____ </p>
<p> Meeting called to order at 6:33 PM by Planning Commission Acting Chair, Shana Bush. PLEDGE OF ALLEGIANCE-waived (Zoom meeting) Roll Call: Present: Fiala, Kennedy, Bush, VandenBerg, Beukema, Pat Jansens. Administrating Zoom meeting: Catherine Kaufman, Township Attorney Also Present: Eric Thompson (PCI) Not Present: Rebecca Harvey, Professional Planner Staff Present: Sandy Marcukaitis, Larry Knowles, Dave VanHouten Visitors: 18+ Some participants were not on the screen at all times due to several participants. (Also: not including staff present). </p>	<p> CALL TO ORDER PLEDGE ROLL CALL </p>
<p> APPROVAL OF AGENDA: REPORTS from REPRESENTATIVES: Board of Trustees- Shane VandenBerg, Trustee, commented that it was a brief Board meeting last night. No report. ZBA- Patrick Jansens, No report. NO APPROVAL OF MINUTES AT TONIGHT'S MEETING </p>	<p> CHANGES TO AGENDA NONE. BOARD REPORTS from REPRESENTATIVES </p>
<p> PUBLIC COMMENT: None at this time </p>	<p> PUBLIC COMMENT </p>
<p> OLD BUSINESS Discussion of tabled Stob Property (from Tuesday, May 26th meeting: (PC 20-02-03 PARCEL ID #08-16-018-002-30. North of 348 W. Payne Lake Rd., Wayland, MI 49348.) Mark Stob was present and gave additional information in regards to his request reviewed on May 26, 2020. Acting Chair Shana Bush read new review and recommendation information of Rebecca Harvey. After reading of the Professional Planner's recommendation, Public Comment was opened. </p>	<p> OLD BUSINESS PARCEL ID #08-16-018-002-30. North of 348 W. Payne Lake Rd., M. Stob </p>

PUBLIC COMMENT: (on M. Stob request)

David & Robin Laansma of 32 S. Payne Lake Rd. Wayland, just north of piece that M. Stob is developing. D. Laansma commented regarding the minimal acreage and that they were not aware it was reduced from 5 to 3. D. Laansma asked that it be explained the discretion the Planning Commission has to allow those back lots that do not have the required road frontage. Laansma wondered under what conditions this was allowed. Laansma inquired if there were certain requirements that have to be met to allow a cul-de-sac development with those added pieces off the road.

Eric Thompson of PCI explained that Ordinance Section 12.5.4 allows for the Planning Commission to reduce the required road frontage under certain width requirements. Cul-de-sac requirements.

D. Laansma inquired, “Could that 10 acre lot be subdivided later?”

E. Thompson commented he would say “No” because of limited road frontage based on current design.

Don & Cathy Baker, of 215 Evans Lane, commented “Who maintains the access road when its developed? Is it the 5 parcels? Or is it going to be part of the cost of township?” The second question regarded the site entrance and exit of that road. D. Baker noted that it’s a hilly area and that he knew there was a requirement for being able to see “left and right as you enter and exit the property”. D. Baker noted the intersection of Payne Lake and Cobb Lake Rd., is a dangerous situation where you have to count five because of speeding cars down Payne Lake Road.

C. Kaufman, Township Attorney commented that she received information (Declaration of Access and Utility Easement and Maintenance Agreement) that is required for Private Roads (submitted by applicant -M. Stob) and commented that the five (5) parcel owners would be mutually responsible for maintenance and upkeep. Kaufman noted this is proposed land division, and the next approvals will be up to the Assessor in terms of land divisions. Kaufman commented that M. Stob had obtained a driveway permit from Barry County Road Commission already.

Don Baker confirmed with M. Stob that there would only be three (3) of the parcels using the access road.

Bob Wolf, 275 Evans Lane inquired if the 10 acre lot was the only one that is going to have Cobb Lake waterfront access. (Confirmed/“yes” by E. Thompson).

B. Wolf also asked about Parcel 2 and noted that he didn’t understand why the road wasn’t moved over to split the difference between Lots 1 and 2, and why it would be created to divide Parcel 2.

Continued...

MINUTES

May 28, 2020 PC (Covid-19/
Zoom)

Page 2 of 9

APPROVED: _____

**PUBLIC
COMMENT**

PUBLIC COMMENT: (on M. Stob request) continued

MINUTES
May 28, 2020 PC (Covid-19/
Zoom)
Page 3 of 9
APPROVED: _____

M. Stob noted that it was more about being a steward of environment by not tearing down trees and there was stuff “we want to keep around.” Stob also noted that there is a road there that has been cleared and it seemed redundant to have two roads with access points.

B. Wolf was also curious as to why the street is “Cobb Ridge”.

M. Stob commented that for most of the year you can see the lake (Cobb) -leading to the name “Cobb Ridge”. Stob added that it is a very Cobb Lake friendly area vs. Payne Lake, coming off that road (Payne Lake Rd.) but not being near that lake (Payne).

Kathy Schwennesen, of Oakwood Shores, commented that she would like to refer back to when M. Stob mentioned something to do with only one access for only one resident and was wondering what that was.

M. Stob commented that Lot #5 is a 10 acre lot having 100 ft. of access to Cobb Lake. When looking at the plat map, the wetlands are actually mostly owned by the Lettinga’s that have included it in a farm trust so one can’t build on that property and it is wetlands anyway.

K. Schwennesen asked if Stob bought property from Lettinga’s to make it work.

M. Stob commented that he owns land in the cove and he purchased land from Mahoney. Stob clarified that Mahoney’s property was not tied in with the Lettinga trust.

K. Schwennesen inquired, “Why is access tied up in the farm trust?”

Stob commented that the access is not tied up in the farm trust and it is owned by Stob. Stob noted that the other parcels are blocked by the trust.

Al Schwennesen, of Oakwood Shores inquired, “Will Parcel 5 be able to be divided again in another 10 years?”

Eric Thompson, of PCI, commented that at the present time with the proposed design even after the re-division rights were to be involved, it would not have adequate road coverage.

Deb Stanul, a Payne Lake resident, commented that she just wanted to be sure that these parcels’ drainage runs into Cobb, and into the wetlands for Cobb, rather than down into the retention pond on the other side that feeds into Payne. D. Stanul commented that Payne has far more inflow than exit drain into Gun Lake. Stanul added that any additional run off into Payne is going to be a problem.

Continued...

PUBLIC COMMENT: (on M. Stob request) continued

C. Kaufman noted that first Stob has to build a road and there's no ability to pull any building permits before the road agreement is done and inspected and approved by the Road Commission. C. Kaufman noted that the Drain Commission would be involved at some point as well. Kaufman also commented that this is a private road approval, not an approval for the land divisions or approval for the houses. Kaufman commented that this is not coming back to the Planning Commission or the Township Board. It is something done by the Assessor.

M. Stob commented to keep in mind the scale of the size of these lots. Stob also mentioned the sandy soil in that area, which provides "excellent drainage not affecting neighbors typically."

Michael Tichvon commented that he thought that water runoff mitigation should be part of any road establishment. Tichvon noted sharp gradient from lots into Cobb Lake. Tichvon asked what the plan was for drainage. Tichvon commented that just good soil didn't sound good enough.

Dave VanHouten, of 870 Rock Dr. asked if there should be verbiage in the ordinance limiting the funneling of extra boats into the lake. VanHouten noted the amount of boats that could be added to the lake if all five people put boats in at one dock.

E. Thompson commented that the ordinance already addresses it.

Dave LeBoeuf commented having a question on riparian rights for proposed parcels 3 and 4.

E. Thompson commented that only the 10 acre parcel would have riparian rights. The other lots would not be permitted to utilize that lake access.

C. Kaufman commented that she believed that Parcels 3 & 4 did not touch the lake and they would not have riparian rights.

Shana Bush closed Public Comment at 7:30 p.m.

BOARD DELIBERATION

**Motion by S. Bush with support by VandenBerg to recommend approval of the proposed private road on Cobb Ridge, based upon the finding of compliance with the provisions of Article 13 and conditioned upon the following: #1- the applicant shall provide the township with a signed and sealed copy of a certificate stating that the proposed private road has been built in accordance with the Barry County Road Commission requirement for a typical residential road and well drained soils, as represented in the application materials, prior to the issuance of building permits for property served by the private road. #2- Review and approval of the proposed Declaration of Access and Utility Easement and Road Maintenance Agreement by the Township Attorney. #3 – Approval of the proposed/reduced road frontage for the Parcels 3, 4, and 5. ROLL CALL: Kennedy: Yes, Beukema: Yes, Bush: Yes, Jansens: Yes, VandenBerg: Yes, Fiala: Yes. Yes: 6, No: 0. MOTION CARRIED.*

MINUTES

May 28, 2020 PC (Covid-19/Zoom)

Page 4 of 9

APPROVED: _____

Close of Public
Comment

BOARD
DELIBERATION

NEW BUSINESS:

SEU 20-05-05 Parcel ID 155-052-10 A request by Rebecca Vandersluis for outbuilding on vacant lot at 2186 Parker Dr. that will contain guest quarters.

Mike VanderSluis presented her request.

Shana Bush reviewed the report of Rebecca Harvey, and opened Public Comment.

Public Comment:

Comment received via email and was read by Shana Bush from **Robert Genther - 2212 Parker Dr.** Photos were also provided by Mr. Genther.

Rebecca VanderSluis commented that the guest quarters would never be rented or be an air bnb. There are no plans to even finish it right now. R. VanderSluis mentioned that they have a lot of grandkids that would sleep there with their parents. "An overflow sleeping room," is R. VanderSluis' description. R. VanderSluis also commented that parking would not be a factor.

Gary Martin, of 2166 and 2177(?) Parker, (neighbors to VanderSluis') commented that he didn't have a problem with parking, noting an overhead door on both ends of the proposed structure. "Mike's a great neighbor... he does what he says," commented G. Martin.

BOARD DELIBERATION started at 8:02 p.m.

Motion by Fiala with support from Beukema to table to June Planning Commission meeting this request and make clear to applicants, and have E. Thompson indicate to the Mr. & Mrs. VanderSluis, what they need to bring to present to the Planning Commission to make a decision June 18, 2020. ROLL CALL: Jansens: Yes, Bush: Yes, Kennedy: Yes, Beukema: Yes, VandenBerg: Yes, Fiala: Yes. Yes: 6, No: 0. MOTION CARRIED.

Prior to roll call vote, Mike VanderSluis commented that they would like to go to 1600 sq. ft. (outbuilding) and also noted that they also own the lot behind.

Eric Thompson suggested that they (Mr. & Mrs. VanderSluis & Eric) meet (possibly virtually) and go over the information.

SEU 20-05-06 Parcel ID 020-005-12 A request by John Holden for SEU to construct a residential accessory building on vacant lot (on Lynn Drive).

Jon Holden commented that there is a building on the lot already- it is not a vacant lot. J. Holden noted that at a previous hearing, the Board said, "You can build two on there if you want. Holden noted that they had built the one, and as they are moving to YS as their permanent residence, they don't have a garage, and need parking for cars and additional storage. That's why he is asking for approval of a second building.

MINUTES

May 28, 2020 PC (Covid-19/ Zoom)

Page 5 of 9

APPROVED: _____

NEW BUSINESS

Parcel ID 155-052-10

Rebecca Vandersluis for outbuilding on vacant lot at 2186 Parker Dr.

Public Comment

BOARD DELIBERATION

MOTION to TABLE until June 18, 2020 PC Mtg.

Shana Bush reviewed comments of R. Harvey, Professional Planner regarding this request.

PUBLIC COMMENT:

Deborah Stanul, neighbor across the street from the proposed building, emailed a comment to Shana Bush, PC Vice Chair, and also sent a video of a brief thunderstorm, that occurred yesterday, May 27. D. Stanul asked S. Bush to show video. The runoff has flooded her home (built in 1988). D. Stanul noted that the previous owner had never recorded any issues with water in the basement. D. Stanul noted that as of the last large storm she has 4” of water in her crawl space. Now she needs to install a sump pump and has moisture in her basement. D. Stanul noted that the Drain Commissioner and Township Supervisor came out and they have proposed to take a portion of her property and put a large drain tile in it to drain what was “effectively several wooded lots that would have absorbed approximately 12” of water per hour. That lot is now completely covered. The one that’s built. And that water, as you watched the video, now flows off that property and into my crawl space, Kim Batson’s crawl space, ...Doreen and Don Norton, as well as Kathy Harris and Paul Harris’ home. So, because the Drain Commissioner can fix the runoff issue, I volunteer a portion of my property to become an easement, reducing the value of my home to help my community. I can fix this runoff issue that was created by this pole barn. And not just Mr. Holden’s pole barn, the one next to it (too).” (Video was shown by E. Thompson). D. Stanul noted that she has basement specialists coming in to quote sealing and sump pump installment. Stanul noted neighbors who are adding additional sump pumps and getting their basements sealed. Stanul concluded, “I would ask this be put on hold until this water issue is taken care of.”

Jon Holden commented that D. Stanul showed a video that showed water on the road but it didn’t show it running off his property or the property next to him. J. Holden felt the water the Drain Commissioner was addressing is water coming off of Chief Noonday Rd., 179 and Briggs Rd. that all comes down Lynn Dr., and has been an issue for a long time. J. Holden commented that this is not because of runoff from his building, noting that he has less impermeable sq. footage than what D. Stanul has on her land, when you look at her driveway, and J. Holden continued and listed items on the surface of her lot. Holden commented that her house (Deb Stanul’s) is 2 ft. higher than the road. Holden mentioned talking to D. Stanul and her husband, and Mrs. Stanul said their side walk was cracked and sloped down as well as a downspout. Holden noted the recent rainfall that has occurred and the lakes are high with no where for the water to drain. Holden also mentioned the lot that he’s building on is open sand with a gravel driveway. On the existing building, Holden noted the down spouts go to the back of the lot. Holden noted that he would be hard pressed to say water is running off his building into her basement. J. Holden commented that he’d love to see the engineering report that D. Stanul has that says that.

Kathy and Paul Harris, lives on 179 Hwy, commented that the easement between their house and Deb Stanul’s pretty much stays wet all the time. P. Harris commented that things have changed in this neighborhood since the buildings have

MINUTES

May 28, 2020 PC (Covid-19/
Zoom)

Page 6 of 9

APPROVED: _____

PUBLIC COMMENT

gone in. He commented that he gets more water in his yard when it rains than they'd ever had. P. Harris commented that the trees used to suck it up and are no longer there adding that water now becomes standing water and you can't walk in the easement without having wading boots on. P. Harris agreed that the lake was high. "We seem to be getting more water from neighbors' houses in this area than we have before," added P. Harris. P. Harris also commented that he talked to the Drain commissioner about it the other day and now he has to spend probably "\$10,000 to \$15,000 of my own money to keep my property drained. I'm not sure. I don't think this was properly addressed from the beginning." P. Harris noted that he has seen improvements being made to the drainage, but there are still issues. "I think it needs to be properly addressed before any more building goes on," added P. Harris.

Dave VanHouten –of Rock Dr., commented that every morning and evening he is going back and forth on Lynn Dr. he said that it was rare that water is standing in the ditch and he has never seen it coming over the road. "I think we have so darn much water. At my house, the lake is way up into the yard. It is very saturated land and I think that is what is causing the problem; just water pressure, not necessarily the run off."

Deborah Stanul commented that the video she showed (of yesterday) was brief and did not come over the road. "Had it been a regular overnight storm,... that water would have been over my road and running down the hill towards Paul and Kathy's. Their kitchen and living room was flooded. My crawl space had 4" of water in it."

Ken Hoving, of 1390 Lynn Drive, commented that he has been here for 25 years plus, and "one drain that runs between Don Norton's house, (just to the south of location of proposed building) that is the only drain that runs out to the lake that takes all of the rain water that comes off the state road plus what comes from Lynn Drive to the north of me, and that hits the drain that runs below the ground and directly into the lake. That outflow pipe right now is less than a half an inch to clear. So the entire pipe is below the lake height. Water cannot push that fast to get the rain that comes down. When the Drain Commissioner was here yesterday and he proposed a new drain, a second drain that would help it out to the south of where this drain is, it definitely made sense. We get rain water here, it comes all the way from the Marathon gas station. All of that comes through our back land as it works its way toward Payne Lake. This Spring has been an extremely wet spring. It still is a wet spring. The lake is as high as we've seen it in the past years. And with all the sand that we have here it can only absorb so much rainwater. And I do not believe that the rain that comes off of those barns has changed what we have. I believe it's the height of the lake that we have and the drains cannot take it."

Lee Kooistra, commented "I have to wholly agree with Mr. Hoving." Kooistra commented that approximately five (5) years ago they had a worse problem and the Drain Commissioner came out to address it by digging a ditch along the east side of Payne Lake to absorb and direct. "Most of this water that is coming off 179 cannot even make the drain that is under the road due to the nature of, like Mr. Hoving says,

MINUTES

May 28, 2020 PC (Covid-19/
Zoom)

Page 7 of 9

APPROVED: _____

PUBLIC COMMENT

continued

the water pressure alone with the height of the lake, can't be pushed out. This is an anomaly. It happens periodically," added Kooistra. Kooistra noted that Shane VandenBerg has put extensive drainages himself around their properties draining eavestroughs and roof water out into the lake. "There was a time five years ago, where we could fish for blue gills on Lynn Drive and we can't do that anymore so most of the problem has been addressed by the Drain Commission and we were all assessed to pay for that." L. Kooistra commented that he didn't think it was the fault of the pole barn. Kooistra commented that he felt it was the responsibility of the Drain Commission to get the water removed from the public roadway.

Deborah Stanul commented that wooded property can absorb 12" of rainfall an hour. "If you cut that down and put turf on it, that cuts your absorption rate down to 4" per minute, and if you build structures, driveways, and polebarns, that cuts the absorption rate down to zero, and that water runs somewhere. Like I said, that video and the pictures that I have sent show that water running from the pole barn down unto the road. And I'll end with that, the rest is to your discretion."

Jon Holden, commented "I just want to make sure that you guys, if you look at the video, the video does not show water running down my gravel driveway into that road. I think it's very clear, there's water in the road. ... if Deb was out in the rain, if she would have panned down toward 179, the state road, you would have seen where the water was running into the road from. I have a sump pump. It runs almost year around. Kim Batson's sump pump runs. Deb is probably one of the few that doesn't even have a sump pump. So this is new for her. Everyone down Lynn Drive practically have sump pumps and they all run. It's just part of what happens with us on a low water table land. And to Mr. Hoving's point, yes, we have had a lot of water and there's really not a lot of ways to get rid of it right now."

Shana Bush then directed the meeting into the Planning Commission Discussion at 8:38 p.m.

Mr. Holden commented that he'd agree to move the building back to meet a 25 ft. setback as he was thinking that the setback had to be 20 feet.

Specifications of the outbuilding were noted.

Motion by Fiala with support from Jansens to approve request of J. Holden as modified (to a 25 foot road setback). ROLL CALL: VandenBerg: Yes, Kennedy: Yes, Beukema: Yes, Bush: Yes, Jansens: Yes, Fiala: Yes. Yes: 6, No: 0. MOTION CARRIED.

OTHER SUCH BUSINESS:

Karen Kennedy commented before the shutdown (COVID-19) there were changes to the ordinance and the PC was going to have public hearings scheduled on the changes. S. Bush commented that she will check out the changes for the June meeting and then the PC can determine at the June meeting if there will be a chance to meet in July "personally" rather than "virtually". Also noted was the Pickleball

MINUTES
May 28, 2020 PC (Covid-19/
Zoom)
Page 8 of 9
APPROVED: _____

PUBLIC COMMENT
continued

**BOARD
DELIBERATION**

MOTION to Approve

**OTHER SUCH
BUSINESS**

proposed project is also scheduled for June.

Thompson commented that he was planning on the Pickleball project for the June meeting as well as another SEU.

Shane VandenBerg commented that he would like to be sitting at the table with a mask on.

Shana Bush agreed with S. VandenBerg.

Karen Kennedy agreed, as well, and noted that it would be too difficult on this platform (ZOOM).

C. Kaufman commented that June 18th should be anticipated as possibly being a zoom meeting. Even if it is an in-person meeting, Kaufman noted social distancing measures would be needed. Kaufman added electronic call-in or participation should be available for those who wish not to come to a public meeting.

OLD BUSINESS: None at this time.

PUBLIC COMMENT: None at this time.

ADJOURNMENT:

Motion by S. Bush with support from Kennedy to adjourn at 8:55 p.m. Roll Call: Jansens: Yes, Bush: Yes, Beukema: Yes, Kennedy: Yes, VandenBerg: Yes, Fiala: Yes. MOTION CARRIED.

Approved by: Frank Fiala 6/18/20
Frank Fiala, Planning Commission Secretary Date

MINUTES

May 28, 2020 PC (Covid-19/ Zoom)

Page 9 of 9

APPROVED: _____

ADJOURNMENT

Deb Mousseau
Recording Secretary
May 28, 2020