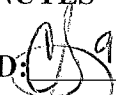


<p align="center">YANKEE SPRINGS TOWNSHIP Planning Commission Regular Meeting</p> <p align="center">Thursday, 19 August 2010 Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333</p>	<p>FINAL MINUTES Page 1 of 5 APPROVED:  8-16-10</p> <p>Transmitted 8-26-10 via email & drop-off @ hall</p>
<p align="center">MINUTES</p>	
<p>Meeting called to order at 7:00 pm by Frank Fiala, Chairperson.</p> <p>Present: Wells, Jansens, Cook, Strickland, Fiala, Schwenessen and TenCate. Bob Lippert, Zoning Adm., Constable Misak, Greg Milliken, Twp. Planner and 2 visitors.</p>	<p>CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL</p>
<p>APPROVAL OF AGENDA – no changes</p>	<p>APPROVAL OF AGENDA</p>
<p>PUBLIC COMMENT: None</p>	<p>PUBLIC COMMENT</p>
<p>MEETING REPORTS: ZBA (Wells) – August meeting cancelled due to withdrawal of requests by applicants.</p> <p>Township Board (Schwenessen) – Paul Heystek appointed to ZBA to replace Pat Jansens who has been appointed to Planning Commission. Wind turbines were discussed as well as clean up of the Cuddy Drain. Webpage is operating.</p> <p>Zoning Administrator – 4 Site Plan Reviews and 1 Special Exception Use Request in July. Three complaints investigated: constructions of handicap ramp with no permit, excessive number of dogs at one residence, and unauthorized number of horses in one location. 227 FEMA letters received so far.</p>	<p>MEETING REPORTS</p>
<p>APPROVAL OF MINUTES FROM JULY 2010 MOTION by TenCate to approve as submitted, second by Schwenessen, Motion Carried.</p>	<p>APPROVAL OF MINUTES</p>
<p>MCKENNA BILLING: MOTION by Wells to confirm the July 2010 billing from McKenna Associates. Second by Cook. Approved by all. Motion carried</p>	<p>MCKENNA BILLING</p>

H. 9-16-10

NEW BUSINESS:

Special Exception Use Request from Marie Bailey for a food concession stand at Gun Lake Diner parking lot on W. M-179.

Bailey presented her request to operate on the holiday weekends only (2010 Labor Day, 2011 Memorial Day, Independence Day and Labor Day). Bailey's late husband had special peddler's permit from Veterans Administration but she believes that she must now apply for SEU.

Current owners were delinquent on property taxes, but Bailey has copy of check that was sent to Barry County Treasurer by owners to bring taxes up to date.

Public Hearing opened at 7:13 pm. TenCate questioned whether there would be additional signage other than what is on concession trailer. Bailey replied no other signs. No comment from public. Public Hearing closed at 7:15 pm.

Commission Discussion:

- Cook concerned that SEU should not be open-ended. (Pointed out that Bailey is only requesting through Labor Day weekend 2011).
- Wells does not like the image of food trailers.
- Schwenessen concerned about distance off highway (20' on diagram).
- Cook confirmed that trailer is to be stored off-site when not in use.
- TenCate concerned that proposed use does not "fit" with the concept of the recently-created "Chief Noonday Business Corridor Overlay District."
- Fiala recalls that PC agreed that applications for specific dates and events could be authorized until the Portable Business Ordinance was refined in future.
- Wells wondered if PC has less control over portable businesses than it does over farm markets. Milliken explained that this request is for a portable business, not a farmer's market.
- Strickland supports the request as an appropriate service to visitors during holiday weekends, and



generally is an economic benefit to the other businesses on M-179.

- Conditions of the Chief Noonday Corridor discussed. Milliken points out that the PC cannot grant variances (reserved for ZBA), but can modify portions of the ordinance provided that:
 - purpose & intent of ordinance is not altered;
 - standard of ordinance are impractical for the current request;
 - smallest modifications necessary are granted,
 - and modifications still meet the underlying zoning district.

MOTION by Fiala to approve the SEU request from Marie Bailey subject to the following conditions:

- The end date of the SEU shall be September 7, 2011 at 12:01 am and that operations shall only be conducted on those specific dates accompanying the application;
- The trailer is set back 25' from the front (North) property line, or no closer to the road than the front of the existing restaurant building, whichever is greater.
- The necessary permits and licenses are obtained (responsibility of the applicant Bailey); and
- No blinking lights shall be in operation on the trailer in compliance with the township sign ordinance.

Seconded by Strickland. No further discussion. MOTION carried 4 – 3. Wells, Schwenessen and TenCate dissenting, believing the request does not fit with the Corridor Plan. Schwenessen also concerned with potential traffic congestion.

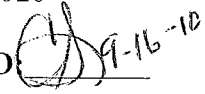
Gun Lake Residential Lakefront Zoning District:

Public Hearing Opened at 7:58 pm.

- Mary Cook asked is this proposed Ordinance is exactly the same as the ordinance presented at the Orangeville meeting. She is concerned that there were quite a few contentious issues and that if Yankee Springs adopts this ordinance it may be a n expensive waste of time if others are not in

Bailey SEU, cont.

Gun Lake Residential
Lakefront Zoning District
Public Hearing

 9-16-10

agreement.

- Fiala replied that there is agreement on most of the major issues, but some were not possible at this time, such as building height, accessory buildings, camping permits, etc. that were not addressed at this time.
- It is not an overlay zoning district, but an entirely new zoning district created for lakefront lots around Gun Lake in Yankee Springs.
- Bob Lippert commented that the other entities like what YST has drafted, but some of the other townships and counties around Gun Lake have uses that Yankee Springs does not have, such as commercial zoning.
- Fiala noted that the next meeting with the other communities is slated for the first Thursday in September and he invited all to attend and see the progress made so far.
- Bill Baughman commented that we shouldn't let 'perfect' be the enemy of 'good' and the PC should just 'do it'. Fran Faverman was in agreement.

Public Hearing closed at 8:12 pm.

MOTION by Wells, second by Bruce Cook to send Ordinance to Township Board for approval. Motion carried unanimously.

Accessory Buildings on Lots Without a Primary Residence:

Fiala and Cook suggest leaving the Ordinance as is but to make the criteria more stringent and specific.

Neighborhood compatibility is important; do not need to require a combination of parcels at this time. Concern over number of accessory buildings permitted on one parcel – limit the number or stay with 30% lot coverage rule?

To discuss further at September 16, 2010 meeting.

Portable Businesses:

Suggestion to establish guidelines for 1-2 day events operated as fund-raisers by schools, churches, charities, and the like.

Suggestion to give authority to Zoning Administrator to

Accessory Buildings

Portable Businesses

AS 9-16-10

grant Temporary Use Permits to these groups for each event and group.

Milliken pointed out that YST Ordinances do not address temporary use permits. Suggests that TUP guidelines include:

- Duration of event(s)
- Specific dates of events
- Types of organizations that can apply, such as educational, charitable, religious, civic, non-profit
- Waive any application fees.

Further discussion at the September PC meeting.

Portable Businesses, cont.

PUBLIC COMMENT:

Bill Baughman: regarding the gravel mining ordinance, cites para. 15 concerning processing on-site, equipment height and dust control. Also concerned about damage by heavy trucks to unauthorized roadways. Tipping fees should be charged for materials brought in from another location. And finally a gravel depletion allowance should be investigated further.

Public Comment

ADJOURNMENT:

There being no further business the meeting was adjourned at 9:10 pm.

Adjournment

Respectfully submitted,

Cathy Strickland

9-16-10

Cathy Strickland, Secretary

Date