

<p style="text-align: center;"> <b>YANKEE SPRINGS TOWNSHIP</b>  <b>PLANNING COMMISSION</b>  <b>Regular Meeting</b>  <b>7:00 p.m.</b>  <b>December 21, 2023</b>  <b>Yankee Springs Township Hall</b>  <b>284 North Briggs Road, Middleville, Michigan 49333</b>  <b>MINUTES</b> </p>	<p> <b>MINUTES</b>  <b>Page 1 of 6 PC</b>  <b>APPROVED: _____</b>  Regular PC Mtg.  Dec. 21, 2023 </p>
<p> Meeting called to order at 7:00 PM by Planning Commission Chair, <b>Shana-Bush</b>. <b>Frank Fiala</b> (as Acting Meeting Chair).   <u><b>PLEDGE OF ALLEGIANCE</b></u>  <u><b>Roll Call: Present:</b></u> Beukema, Craven, Fiala, Frigmanski, Knowles, Kooistra.  <u><b>Absent with Notice:</b></u> Shana Bush  <u><b>Zoning Administrator:</b></u> Joe Shea, Present  <u><b>Professional Planner:</b></u> Rebecca Harvey, Present  <u><b>Staff Present:</b></u> Dennis Buist-Constable, Sandy Marcukaitis, Mike Cunningham, Brad Williams.  <u><b>Visitors:</b></u> 7 (not including staff present). </p>	<p> <b>CALL TO ORDER</b>  <b>PLEDGE</b>  <b>ROLL CALL</b> </p>
<p> <u><b>APPROVAL OF AGENDA:</b></u>   <b>Adds: 1. Under Old Business: at S. Bush's request: CIP (Capital Improvement Plan)</b>   <b>2. Move: Chicken Ordinance from Old Business to New Business becoming Item #3.</b>   <b>3. Discuss Special PC meeting &amp; come up with a meeting date to discuss STRs.</b>   <i>Motion by Fiala with support from Beukema to approve the agenda as amended.</i>  <i>All Ayes. MOTION CARRIED.</i> </p>	<p> <u><b>APPROVAL OF AGENDA as amended</b></u> </p>
<p> <u><b>REPORTS from REPRESENTATIVES:</b></u>  <b>Board of Trustees- Larry Knowles</b>, reported the following: <i>Board Meeting was 12/14/23</i> <ul style="list-style-type: none"> <li>• YS received a \$131,200 grant for Parks.</li> <li>• Koval Construction was awarded the kitchen remodeling.</li> <li>• Land split on Bowens Mill Rd. approved.</li> <li>• Franchise agreement with GLASWA approved to sign.</li> <li>• Meeting schedule for 2024 approved.</li> <li>• Beukema and Kooistra re-appointed to another term on the PC.</li> <li>• Boysen was appointed to another ZBA term.</li> <li>• Joint meeting date set for Wednesday, Jan. 24<sup>th</sup> at 6 p.m.</li> <li>• Board did not adopt two (2) resolutions regarding making YS a 2<sup>nd</sup> Amendment Sanctuary township.</li> </ul> <b>ZBA, John Frigmanski</b>, noted there was no ZBA meeting held this month. </p>	<p> <b>BOARD REPORTS from REPRESENTATIVES</b> </p>

**ZONING ADMINISTRATOR REPORT: Joe Shea, ZA commented regarding:**

- Regarding Short Term Rentals (STR's)- 3 meetings of the sub committee have been held with another in the first week of January.
- Regarding STR's – would like a special meeting because the PC's regular meetings already have full agendas.
- A nice article was in the *Sun & News* a few weeks ago about STR's and the ZA office has received a lot of response from the public on that and the Zoning office is using the public opinion and formulating some ideas on how to deal with this.
- J. Shea had a Zoom meeting with a company that does STR enforcement. They have over 300 clients, including 20 or 30 in Michigan. This company helps keep track of STRs; where they are, and whether they are licensed or not. J. Shea noted it would be very helpful to have something like that.
- Increasing the STR fee will be brought before the Board next month.

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**ZONING ADMINISTRATOR REPORT**

**PUBLIC COMMENT:**

**AI Schwennesen** commented regarding STRs noting he has lived here in YS over 30 years and has been involved with the township - 20 years. "STR is a direct application of violating the funneling." Mr. Schwennesen commented he's against it. "The people who come in and rent for a week or 4 days out on the lake if they bring their own boat or rent a boat, they act like a weekend warrior. I believe that people who rent their home and a boat ought to have massive liability insurance. Somebody is going to get hurt. It's not a question of 'if', but when. They've got on the (inter)net pictures of these STRs and I would hope that everybody will take a look at this. Some of them sleep 12 to 15 people. That is more than a family. That is more than a single family residential use. There's gotta be some way of controlling these people from bringing in their buddy and another buddy bringing in their buddy," commented A. Schwennesen. A. Schwennesen noted that he was fishing with his special needs grandson a year before last on a Monday at 7 o'clock after a weekend of high traffic. Mr. Schwennesen noted the debris they saw floating around was unbelievable. A. Schwennesen commented, "These people do not respect the lake." He feels an ordinance should be "written not in a way that a person is going to make a lot of money or lose a lot of money. It has to be for all of the people. We have to all remember that we don't inherit these natural resources that we've got here in Yankee Springs, but we are borrowing them from our grandchildren and children," A. Schwennesen concluded.

**PUBLIC COMMENT**

**APPROVAL OF MINUTES: Regular Meeting of November 16, 2023**

***Motion by Beukema with support from Frigmanski to approve minutes of November 16, 2023 as presented. All Ayes. MOTION CARRIED.***

**APPROVAL OF MINUTES**

**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 and as modified this evening. All PC members noted: NO conflicts. No: 6, Yes: 0, Absent: 1*

**NEW BUSINESS:**

1. **ZOC 23-11-02, Parcel ID: 16-030-006-00, 2671 Russell Drive, Wayland, MI 49348.** A request by Andrew Wyman, the property owner, to re-zone this property from RLF to RSF pursuant to Yankee Springs Township Zoning Ordinance, *Article XIX Amendments to Zoning Ordinance and Official Zoning Map.*

**Open for Public Hearing at 7:12 p.m.**

**NO comment from the audience.**

**Close of Public Hearing at 7:13 p.m.**

R. Harvey offered guidance to the PC members.

ZA Joe Shea commented that it appears to be a clerical mistake – RLF should be RSF. This goes back to 2001 most likely. The Master Plan map was reviewed and verified at this meeting regarding the zoning of Parcel #16-030-006-00.

*Motion by Knowles support from Beukema to recommend to township board a rezoning change based on a finding supported by Section 19.3 and also supported by the Master Plan. All Ayes. MOTION CARRIED.*

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2. **ZOC 23-11-03, Common Element Parcel of Bay Meadow Condominium Association, 12460 Bayview Drive, Wayland, MI 49348.**

A. A request by the Condominium Association to amend its Planned Unit Development (PUD) Plan by separating two proposed parcels from the common area of the PUD pursuant to Yankee Springs Zoning Ordinance **Article IX Planned Unit Development.**

B. A request by the Condominium Association to re-zone a portion of the common area (the two proposed parcels) from PUD to RR pursuant to the Yankee Springs Township Zoning Ordinance, **Article XIX Amendments to Zoning Ordinance and Official Zoning Map.**

The request(s) were discussed by the ZA, Professional Planner, and PC members. R. Harvey commented on the request(s) and items needing consideration. Discussion occurred.

**Open Public Hearing: 7:45 pm**

**Char VanderRoest, President of the Bay Meadow Association, applicant,** commented that the address on the agenda should be 12460 Bayview Drive.

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**ZOC 23-11-02,  
Parcel ID: 16-030-  
006-00, 2671 Russell  
Drive, Wayland**

**MOTION TO  
RECOMMEND  
ZONING CHANGE to  
TWP. Board**

**Other items noted by C. VanderRoest:**

They (condo association) have done a survey and acreage should be able to be obtained from the survey. There's frontage on Edwin and on the cul-de-sac. The association owns a portion of Edwin Drive and across the street. There is 300 feet of frontage on Edwin and they would be able to access off of the cul-de-sac. Emergency vehicles are routed down Edwin to come to Bayview. Twice in the last year ambulances had to turn around and go back around. They can't put a stop sign at Edwin Drive. Edwin is a private drive. Not sure if there's a record of an association for Edwin Drive. C. Van Roest commented that she feels there is an association and she thinks a builder that lives on Edwin Drive maintains the road by snow plowing and trimming trees.

It was noted there are different items needed for clarification to move forward on the request(s). C. VanRoest answered to the inquiry if there was urgency in this matter, and VanRoest noted it was not an urgent matter. Clarification is needed in order to know how much acreage is involved along with other items.

R. Harvey reviewed information needed in order to move forward with the request. "...That we take what was approved and then that approved plan show all things that have changed since that approval- including the proposed change now. And if it can show all of those things, then we can run the numbers," commented R. Harvey.

VanRoest noted that they will not be available for a January/February meeting. It was noted that Excel Engineering did the original survey for the original plan as well as the most recent survey.

**NO comment from the public. No written correspondence received.**

**Close of Public hearing at 8:05 pm.**

*Motion by Knowles with support from Beukema to table to date of January 18, 2024 PC meeting. All Ayes. MOTION CARRIED.*

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**Public Hearing for Wind & Solar Ordinance**

R. Harvey commented that the information in front of PC members is speaking only to individual on-site systems and does not conflict with state parameters.

**PUBLIC Comment opened at 8:10 p.m. NO COMMENT**

**Comment period closed at 8:11 p.m.**

*Motion by Knowles support by Frigmanski to recommend to the Township Board approval of the Solar Ordinance as written. All Ayes. MOTION CARRIED.*

**CHICKEN ORDINANCE:**

*Draft text copies are being made at this time for PC Members at tonight's meeting.*

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**MOTION to postpone to January 18, 2024 PC meeting.**

**MOTION To RECOMMEND to Twp. Board.**

**CHICKEN ORDINANCE**

**Open Public Hearing/comments at 8:17 p.m. (For CHICKEN ORDINANCE)**

**Al Schwennesen** commented that he didn't believe farm animals belong on lakefront property or anywhere near the lake, a stream or swamp. When A. Schwennesen was on the PC, the backyard was from the road to the house. "Keep them away from the water," concluded A. Schwennesen.

**Mike Cunningham, of Heritage Bay Dr.**, speaking as a township resident, noted that he emailed PC members and everyone that he could- his comments on the Chicken Ordinance and he would not read the whole email at this time. Cunningham noted that basically he feels chickens don't belong in any residential neighborhoods. If allowed here, "...we already have a lot of reasons to argue with our neighbors on these small lots, this is just really going to accelerate that if you allow chickens." Cunningham noted pictures of two chicken coops that he had put in his email, and noted they do not belong in single family residential neighborhoods. "I would restrict it based on zoning districts and not property sizes," noted Cunningham.

**Close of Public Comment at 8:20 p.m.**

**R. Harvey** commented on the possible value in having Catherine Kaufman attend a meeting. R. Harvey commented on how the township got to the point it is at today with chickens.

**Joe Shea** commented that in his conversations with C. Kaufman, Attorney, ruling is quite broad and in favor of both farmers and non-farmers. Discussion occurred regarding RLF zoning. It was noted that a minimum parcel size requirement on RLF would be a limiting factor. The RR (Rural Residential) requirement is one (1) acre.

**An informal poll about having chickens on lakefront lots (RLF) was taken:**

Not in favor = 5 out of 6 PC members.

Not in favor of chickens on RSF (across from lakefront)= 4 of 6 PC members.

*Motion by Knowles with support from Beukema to table until Feb. 15 PC meeting - the keeping of chickens text amendment. All Ayes. MOTION CARRIED.*

**\*\*\*Note: To put on Agenda for January- Check on progress/status of J. Shea with Attorney regarding the exclusion of chickens in RLF and RSF.**

**Education: Upcoming and Completed Opportunities** – *brief discussion occurred.*

**OLD BUSINESS ITEMS:**

**Discussion of Backyard Chicken Ordinance-**

See above under New Business (as amended to the agenda).

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MOTION to TABLE  
until Feb. 15<sup>th</sup> PC  
Meeting.

**OLD BUSINESS ITEMS: continued**

**Discussion of Master Plan/BOT Recommendations-**

Discussion to use what the PC has already versus using the County plan or format, occurred. This will be discussed with S. Bush at next meeting, due to the full agenda this evening.

**Discussion on Annual Report- prepared by S. Bush with assistance from S.**

**Marcukaitis.** Request by F. Fiala to have PC members review before next meeting and get any changes to Shana or Sandy. F. Fiala commented on hoping to go through the Annual Report line by line at the next meeting.

**CIP- Materials provided by S. Bush for review.**

**January 24<sup>th</sup> Joint meeting will occur at 6 p.m.**

**OTHER SUCH BUSINESS AS MAY PROPERLY COME BEFORE THE PLANNING COMMISSION**

**Additional Meeting on STRs: Set for \*January 9<sup>th</sup>, a Tuesday, at 7 p.m.\***

**PUBLIC COMMENT:**

**Dave Laansma, of Payne Lake Rd.**, commented that he appreciates all the thought that goes into everything considered here tonight and appreciates the hard work. Regarding the chicken question, D. Laansma would caution the commissioners against setting policy or ordinances simply due to a distaste of the animal. "They are small animals- poultry. Limiting the number of birds, no roosters, requiring a certain area- as far as land area, that makes sense. A half acre, is probably pretty reasonable. A lot of people keep chickens just for their own use. They're really not that annoying, especially if they're limited to only a handful of birds. Probably wouldn't even know they are there. They're probably less noticeable than having a dog or cat," concluded D. Laansma.

**ADJOURNMENT:**

**Motion by Fiala with support Beukema to adjourn at 9:00 p.m. All Ayes. Motion carried.**

Approved by: Frank Fiala 1/18/24  
Frank Fiala, Planning Commission Secretary Date

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