

## **March 24, 2015 PLANNING COMMISSION MEETING**

**Call to Order:** The meeting was called to order at 7:00 pm by Chair Craig vanMelle.

**Roll Call:** Members present: Harry Smith, Ron Remington, Craig VanMelle, Carol Browne, Fred Lewis. Also present: Ken Engelking, Zoning Officer.

**The Pledge of Allegiance was recited.**

**Minutes:** Harry Smith made a motion supported by Fred Lewis to approve minutes of the February 24, 2015 Planning Commission Meeting. Motion passed.

**Approval of the Agenda:** Craig vanMelle made a motion supported by Ron Remington to approve the Agenda of the March 24, 2015 Planning Commission Meeting. Motion passed.

### **Procedural Business:**

A. Secretary Browne reminded Commission Members that election of officers and review of by-laws would occur at the next meeting which is the first meeting of the new township year. If we wish, we may also discuss changing the meeting night for 2016-2017.

B. Secretary Browne requested advice concerning the annual report for 2014-2015 because it didn't seem to be a useful document. After a short discussion, it was decided to continue doing the report

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### **Old Business:**

A. Request for Planned Unit Development (PUD) from Terri and Joe Conti

Mr. Conti presented a narrative describing a 13 acre development for single family residences, residential garages and a community park located on 42nd street. There will be bike and walking paths in addition to a 75 foot green belt along the lake shore. The narrative explains that 6 residential garage sites will be linked to the 6 lakefront lots. Garage lot locations are shown in the accompanying site drawing along with planned roads, park and home sites.

The development will have bylaws protecting the preservation of the shoreline as well as spell out requirements for wells and septic systems. Home sites vary in size as per the site plan. The PUD master deed and by-laws will be in accordance with the Michigan Condominium Act. Homes have minimum square footage according to their location within the PUD. All buildings are limited to two stories or less as defined by the BOCA Building Code. Only one outbuilding is permitted on each lot. According to Deed restrictions no modular, berm, pre-fabricated, mobile or dome homes shall be permitted (in accordance with Section 6.04e of the Valley Township Zoning Ordinance for R-1 residential properties) nor are farm or dangerous animals to be allowed.

Construction guidelines are established according to the narrative. There are no restrictions on the cost of the buildings or the amount of landscaping required. Four separate adjacent lots are not

included in the PUD but Mr. Conti stated there will be deed restrictions placed on those lots to protect and enhance the PUD. Mr. Conti stated he has been in touch with the Allegan County Road Commission and other agencies to ensure his compliance with county, state and township guidelines.

After further discussion, Craig vanMelle made a motion supported by Harry Smith to hold a public hearing on this matter at the next commission meeting, April 28, 2015. Motion passed by a unanimous roll call vote. A notice will be sent to the newspaper and residents of surrounding properties will be notified by letter.

### **New Business**

Request for a Special Use Permit for a dog kennel from Trixie Cogar

Ms. Cogar presented her application for a special use permit at 4367 118th Street. Mrs. Cogar breeds labrador retrievers. It is the only breed she plans to keep onsite. She plans to keep no more than 20 adult dogs and puppies combined. Some puppies under 6 months might be on the grounds temporarily bringing the total to more than 20 at times. Dogs are housed inside her pole barn in 5 X 10 foot kennels. Dogs are kept inside between the hours of 8 pm and 8 am. Ms. Cogar presented drawings showing that the barn and outbuildings used to house the dogs are well away from neighbors. She indicated noise was not a problem nor had she received any complaints from neighbors about the dogs or excessive traffic.

Animal waste and used bedding are kept in closed containers and removed from the premises each week by a waste disposal company. She presented information that indicated she and her husband complied with requirements from the American Kennel Club and were routinely inspected by them.

After further discussion, Craig vanMelle made a motion supported by Fred Lewis to hold a public hearing on this matter at the next commission meeting, April 28, 2015. Motion passed by a unanimous roll call vote. A notice will be sent to the newspaper and residents of surrounding properties will be notified by letter.

### **B. Rental Property Ordinance**

Zoning Administrator Ken Engelking reported the Rental Registration Form was inconsistent with the Rental Property Ordinance requiring inspection and reapplication every year while the Ordinance required 2 years. He stated that Valley has many unreported rental units that have not been inspected and are often in need of major repairs.

In particular section II E. of the ordinance was discussed with suggestions to eliminate the specific date for renewal and to change the term of the registration to one year. Mr. Engelking also suggested a check sheet be added to the registration form to indicate that furnaces, wiring, etc. were checked each year.

Mr. Engelking will revise the registration form and bring it to the commission for discussion in April. Secretary Browne will draft changes in section E for review. There was also a suggestion that a fee

be tied to these inspections and that the township devise a strategy for identifying rental properties through tax records or other means.

**Zoning Administrator Report:**

Administrator Engelking stated he had reviewed other township's dangerous building ordinances to see if ours needed to be strengthened with regard to regulating residences that had been used for methadone making or consumption. After review, he found that Valley's ordinance was very similar to other ordinances and therefore was not making any recommendation at this time.

**Open Discussion on Non-Agenda Items/Public Comment**

Secretary Browne reminded the commission that all ordinances were due for review. A committee has been appointed to begin the task. She will contact committee members and set up the first organizational meeting.

Commission members were asked to review a process for special permit and variances that we might adopt to help residents with their applications. Also to review the difference between a special permit and a variance and when each should be used.

**Adjournment:**

Harry Smith made a motion supported by Ron Remington to adjourn the meeting. Meeting adjourned at 8:35 p.m.

Respectfully submitted

Carol S Browne, Secretary