

April 28, 2015 PLANNING COMMISSION MEETING

Call to Order: The meeting was called to order at 7:02 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 Ron Remington to approve minutes of the March 24, 2015 Planning Commission Meeting. Motion passed.

Approval of the Agenda: Harry Smith made a motion supported by Fred Lewis to approve the Agenda of the April 28, 2015 Planning Commission Meeting. Motion passed.

Procedural Business

A. Election of Officers: Harry Smith made a motion supported by Ron Remington to retain Craig van Melle as Chair; Harry Smith as Vice Chair; Carol Browne as Secretary. Motion passed.

B. Annual Report: The Annual Report was reviewed and accepted by the Commission. It will be sent to the Township Board for review and placed in the Township Hall.

Public Hearing on Special Use Permit for a dog kennel located at 4367 118th Ave.

Harry Smith made a motion supported by Ron Remington to open the Public Hearing. Motion passed. Hearing opened at 7:06 pm.

Harry Smith commented that he drives by this location almost daily. He has not observed a traffic problem due to the business. He pointed out the residence and kennels which are inside a building are located well back from the road and he has not heard any noise due to its location.

Ron Remington stated that he and Fred Lewis visited the facility. It was well taken care of. There was no comment from the public. Chair van Melle thanked Traci Cogar for the information she had brought to the Commission in support of her request and commented that according to the Township Zoning Ordinance, a kennel was an appropriate special use in an R1 Zone.

Harry Smith made a motion supported by Fred Lewis to approve the special use permit for a dog kennel at 4367 118th Ave. Motion passed unanimously by roll call vote.

Zoning Administrator Ken Engelking stated he is working with Ms. Cogar to finalize the special use permit which will contain the requirements for inspections.

Craig van Melle made a motion supported by Carol Browne to close the Public Hearing at 7:16 pm. Motion passed.

Old Business:

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

Mr. Conti presented an updated narrative and schematic drawing of the proposed PUD showing the bike path and likely locations of wells and septic for each of the properties on the lake side. The new drawing also contains the setbacks for the garages and a location for the road back to the garage lots. A table was added showing the acreage of each building site and the location of the park/lake access site.

Mr. Conti stated that according to the Township's PUD ordinance, lot sizes within the PUD can vary from the suggested one acre along the shoreline. He stated that his plan meets the intended density of the Valley Township Master Plan because there are 10 home sites on 13 acres. He stated that the lakeside lots in his proposal are larger than most of the existing lots on the lake and that the non-contiguous garage sites make up the difference. He presented to the Commission a document comparing the sizes of lake front properties around Lake Allegan. Mrs. Conti stated that the revised narrative reduced the required size of one story homes to 1400 square feet.

Public Hearing on Planned Unit Development Turtle Cove (parcel #03-22-015-002-00)

Craig van Melle made a motion supported by Harry Smith to open the Public Hearing on the Turtle Cove PUD proposal. Motion passed. The Public Hearing opened at 7:15 pm.

Chair van Melle asked for public comment on this proposal with people in favor of the proposal speaking first.

Richard Lowman spoke in favor of the proposal stating that he thought it was a good investment for Valley Township and would result in more tax revenues.

Patrick Ignatoski stated he lives in Indian Shores development and he thought the proposal would be an attractive area along the waterfront.

No public comment was offered in opposition. Chair van Melle asked for commission comment. Harry Smith asked if we were opening the door to other requests that did not meet the suggested minimum lot size along the lake front. Ken Engelking replied that a PUD has to have at least 10 acres. Any new development would have to go through the same process and defend their request.

Question from the audience: Does this proposal meet the guidelines of the Master Plan?

Craig vanMelle stated that this proposal met the requirements of the Master Plan with regard to health department regulations, density and surrounding land use.

Hearing no further discussion or comments, Chair van Melle made a motion to approve the preliminary Turtle Cove plan as presented on April 28, 2015 which meets the criteria of being over 10 acres, wells and septic being contained within each building site, setbacks from the waterfront

being adequate and the plan as presented being the best use of the land. The motion was supported by Harry Smith.

Roll Call vote: Harry Smith, yes; Craig vanMelle, yes; Ron Remington, yes; Carol Browne, yes; Fred Lewis, no. Motion passed.

Craig van Melle made a motion supported by Harry Smith to close the Public Hearing at 7:25 pm. Motion passed.

Discussion regarding the next steps for the approval process took place. Mr. Conti stated he would submit his request for land splits to the Township. He will be working with Ken Engelking to finalize the proposal. Clarification regarding final approval of the PUD was discussed.

B. Rental Property Ordinance

A revised Rental Property Ordinance was reviewed. The following changes were discussed. The overall formatting of the ordinance was changed to meet the current format for ordinances.

Section 2. Definitions and Registration

B. The Rental Registration Application shall be made was removed and replaced with "on forms provided by the Township."

C. "and any needed inspection have been completed." added to the second sentence.

E. The first sentence was changed to read "Rental Registrations are for three years." A Rental Registration shall be submitted to the "Township" prior to expiration.

Section 7. Sanctions

Municipal Civil Infraction for the first offense was changed from \$75 to \$100.

At Mr. Engelking's request approval of these changes was postponed until the May Planning Commission meeting. At that time, he will have a revised application form for the Commission to review along with the final review of the Ordinance.

New Business

A. The following changes to the Planning Commission bylaws were discussed:

Section 2: Membership

E. Last sentence changed to "Members shall represent different segments of the Township whenever possible."

Section 4: Officers

A. Selection and Tenure. An sentence was added. "In the event any office becomes vacant during the year, commissioners will elect a replacement to fill the unexpired term."

C. Vice Chairperson. Everything removed except the first sentence. The vice chairperson shall act in the capacity of the chairperson in his/her absence.

Section 7: Meetings added "or designee" after The Chairperson in the first sentence.

F. Agenda

3. changed to "Approval of Agenda"
4. changed to "Approval of Minutes"
5. added 'Procedural Business (when needed)'
9. Removed Report of the Township Board Representative, added "Report of the Zoning Board of Appeals Representative/Zoning Administrator"
10. Changed to "Open Discussion/Public Comment"
11. Adjournment added "by acclamation"

Certification changed to April 28, 2015

A short discussion resulted in a motion by Harry Smith supported by Fred Lewis to accept the proposed Bylaw revisions. Motion passed. The revisions are effective for the May 2015 Planning Commission meeting.

C. Transmittal Process for Special Use Permits

A transmittal process developed by a subcommittee of the Planning Commission and township staff was shared with members. This process will be used over the next year and then evaluated. It is hoped the process will result in making resident applications easier and approvals go more smoothly. A copy of the process is attached to the minutes.

Zoning Administrator Report:

Administrator Engelking stated he is continuing to work on current projects. He has received a Variance request for a Barn. He is trying to get a site in Aspen Acres cleaned up where is a trailer burned. He is also working with Wells Fargo bank on a demolition project on land to be donated to the Township.

Open Discussion on Non-Agenda Items/Public Comment

Secretary Browne reported that the first organizational meeting of the Ordinance Review Committee took place. The first task is to review the Township Zoning Ordinance. As ordinances are reviewed they will be brought to the Commission for comment and discussion. However, approvals and a public hearing will take place after all ordinance revisions are completed.

Adjournment:

Harry Smith made a motion supported by Ron Remington to adjourn the meeting. Meeting adjourned at 8:15 p.m.

Respectfully submitted

Carol S Browne, Secretary