

May 26, 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, Absent: Fred Lewis. Also present: Ken Engelking, Zoning Officer; John Lohrstorfer, Township Attorney

The Pledge of Allegiance was recited.

Approval of the Agenda: Harry Smith made a motion supported by Ron Remington to approve the Agenda of the May 26, 2015 Planning Commission Meeting. Motion passed.

Minutes: Harry Smith made a motion supported by Craig vanMelle to approve corrected minutes of the April 28, 2015 Planning Commission Meeting. Motion passed.

Old Business:

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

Mr. Lohrstorfer reviewed the PUD request to ensure it met with township requirements for a PUD. Mr. Lohrstorfer stated that when a unique design for a site condominium was presented it was usually to allow for a special use such as a larger green area. In this case, the request was to reduce the 2 acre requirement to less than an acre in some cases but without the accompanying dedicated green space. The .2 acres called a park did not justify the reduction in lot size. He also addressed several issues with regard to the master deed and covenant that might cause problems in the future. For example, renting homes to people outside the association can become a problem for other homeowners and not making it clear that the back lots have riparian rights to the lake front through the park.

Mr. Conti stated that he did not like to have many restrictions on his development and that he felt the association agreement would take care of most of those items. Mr. Lohrstorfer urged Mr. Conti to consider making more restrictions to handle the size of auxiliary buildings, to consider not allowing boats and additional cars to be parked on the house site since the storage buildings were to be used for that purpose and discouraging the use of these homes as summer rentals.

Mr. Lohrstorfer also stated that careful consideration needed to be given to who could use the park and how many docks, boats, water craft, etc. could be put there by one property owner. Mr. Conti stated that he felt his design was unique because it offered storage for watercraft or extra cars away from the main road and the housing units.

Mr. Engeling stated that many of these issues would be addressed in the final proposal. He felt this development was in the best interest of the township because it offered property tax revenue for the township. Mr. Lohrstorfer reminded Mr. Conti that he still needed to have his site condominium plan approved by the Township. Mr. Conti asked if his attorney, Steve McCowen, could send materials directly to Mr. Lohrstorfer to be reviewed. Mr. Lohrstorfer said he would work with Mr. McCowen. Chair Craig vanMelle stated that would also assist the Planning

Commission as well since reviews would be made by the attorneys prior to being heard by the Commission.

Chair van Melle asked if the Commission should consider rezoning this parcel from R1 to R2. Harry Smith stated it would be better to leave the zoning as is and work with the PUD. Mr. Engelking asked if he could continue working with Mr. Conti to move this project forward. Mr. Lohrstorfer stated the next step in the process is for the request along with site maps and minutes from the planning commission to go to the Township Board for review and comment. The Planning Commission will take everything under advisement when the final proposal comes forward.

Chair vanMelle thanked Mr. Lohrstorfer for attending the Commission meeting and reviewing the PUD.

B. Rental Property Ordinance

Additional wording changes in Section 4. Regulations for Tenants were reviewed. "engage in activities forbidden" was added to general nuisance and "Federal" law was added to Michigan law. The name of the Board of Appeals was corrected to the "Zoning" Board of Appeals in all references.

After a short discussion, Harry Smith made a motion to approve the revised Rental Property Ordinance supported by Ron Remington. Motion Passed.

Mr. Engelingking introduced the revised Rental Registration Form. The changes were: the initial inspection will include a broad number of inspections (indicated on an attached sheet) and Registration will occur every three years. The registration fee will be \$180 (\$60 per year) and includes the yearly building and property inspection. Property owners will be notified by the Township when their registration renewal is due.

New Business

A. Fence Ordinance

Discussion of this Ordinance was postponed until the June meeting.

Zoning Administrator Report:

There are four properties that have been abandoned and are going into foreclosure. They are unsafe because they have become dilapidated or burned out. They need to be torn down because they are a safety hazard and provide places for possible illegal activities. Wells Fargo property in Aspen Acres has been demolished but insufficiently cleared to permit mowing and maintenance of the property by the Township. The bank will be notified of this problem.

Open Discussion on Non-Agenda Items/Public Comment

Chair vanMelle distributed information about the "Right To Farm" act. It is still unclear to whom the act refers but it is best not to assume that a request is not entitled to jurisdiction under this law.

Secretary Browne stated that the Township Supervisor is interested in having the Planning Commission draft an ordinance pertaining to Outdoor Vendors. She will seek information from other townships and draft something for the June meeting.

Reminder: The June meeting will be held on the 5th Tuesday of the month, June 30th.

Adjournment: 8:45 pm by acclamation

Respectfully submitted,

Carol S Browne, Secretary