

PLANNING COMMISSION
Minutes for Regular Meeting of
January 2, 2008

- PRESENT** Chairman Mary Eley, Tom Thompson, Carol Kooistra, Jan Deur, Brian Lernowich and Bryan Grover.
- NOT PRESENT** Marcia Funnell.
- ALSO PRESENT** Zoning Administrator Don Sandel and 7 interested parties.
- CALL TO ORDER** Chairman Eley called the January 2, 2008 meeting to order at 6:35 p.m. and led those in attendance in the Pledge of Allegiance.
- AGENDA** **Motion by Mary Eley, second from Brian Lernowich, ADOPTED, to amend the January 2, 2008 agenda by adding (7) Master Plan/Zone Change to Old Business and accept as amended.**

6 AYES 1 ABSENT

- MINUTES** **Motion by Bryan Grover, second from Tom Thompson, ADOPTED, to amend the December 5, 2007 regular meeting minutes CALL TO ORDER by striking Vice, Thompson, November 7 and replacing with Eley and December 5 and accept as amended.**

6 AYES 1 ABSENT

PUBLIC COMMENT – None

NEW BUSINESS

1. Discuss planning goals and objectives for 2008-09 budget year.
 - Send survey to parcel owners in the Medium Density Residential (MDR) District asking if the Minimum Lot Size of one (1) acre and Minimum Lot Width of one hundred five (105) feet should be changed to Minimum Lot Size of two (2) acres and Minimum Lot Width of one hundred fifty (150) feet.

Chairman Eley read draft of the letter she co-wrote with Supervisor Boughton. Commissioners made suggestions and directed Chairman Eley to revise and email to Commissioners (hard copy to Thompson), get approval from the Township Board, and distribute to residents. A self-addressed postage paid post card will be included with the letter to residents; a two (2) week response time will be allowed.

- Survey in Neighborhood Commercial (NC) District (Whitehall Road Corridor)

Chairman Eley read draft of Supervisor Boughton's letter. Commissioners made suggestions and directed Chairman Eley to revise and email to Commissioners (hard copy to Thompson), get approval from the Township Board, and distribute to residents. Along with the letter, area zoning map, a self-addressed postage paid post card will be included with the letter to residents; a two (2) week response time will be allowed. Post cards will be color coded to indicate parcels South and North of Michillinda Road.

- Resort PUD (Michillinda Beach and Lakeside Inn)

At the December 5, 2007 meeting input was requested from the owners of both the Michillinda Beach Lodge and Lakeside Inn. No input has been received. Consensus was to have Supervisor Boughton and Chairman Eley reach out to them. Chairman Eley will also request that Tim Johnson from MainStreet Planning continue to work on proposed language. A special meeting date will be held either Wednesday January 23 or January 30, 2008 at 6:30 p.m. depending on when Tim is available and if we have received input from the Lodge or Inn. When decided the meeting will be posted and the Planning Commissioners notified.

- Duck Lake State Park Zoning

Commissioner Deur stated that he passed along a letter to Chairman Eley from a planner that said a particular zoning can be developed to protect these areas from ever being developed. Chairman Eley said she has made Planner Tim Johnson aware of this and he is researching further.

- Wind Tower Ordinance

The sub-committee met and discussed things Commissioner Funnell provided, including House Bill No. 4254, and a comparative spread sheet of sample ordinances from White River and Laketon Townships. Using the Laketon Township Ordinance as a model, proposed language is being developed for presentation to the full PC at the April meeting.

- Review of current zoning ordinances for inconsistency

Staff has been and will continue working on this.

- Check with Attorney Eklund on if the amount of days for final action for Site Plan Review can be extended from ninety (90) days after fully completed application and site plan has been received by the Township.

Chairman Eley states she has asked Attorney Eklund to research this and give opinion memo. She will contact him again.

OLD BUSINESS

1. Review (when available) the survey to be sent to all Neighborhood Commercial parcel owners on Whitehall Road regarding possible rezoning to Residential. **(Discussed under New Business 1.)**
2. Review (when available) the survey to be sent to all Medium Density Residential (MDR) parcel owners regarding possible amendment to change the Minimum Lot Area from One (1) acre to Two (2) acres and the Minimum Lot Width from 105 feet to 150 feet. **(Discussed under New Business 1.)**
3. Wind Towers – Subcommittee (Chairman Eley, Commissioners Funnell, Deur and Lernowich) Update **(Discussed under New Business 1.)**
4. Definition of Common Open Space – reminder only.

Chairman Eley and Recording Secretary Garvey will meet on this and go through all documents we have on this subject thus far and work on proposing a definition.

5. Resort PUD (Michillinda Beach and Lakeside Inn). (**Discussed under New Business 1.**)
6. Discuss draft of Planning Commission Bylaws.

During review of the draft several changes were suggested. Commissioner Deur will make the changes and get to Recording Secretary Garvey to go in the February meeting packets for review.

7. Amend Master Plan/Zone Change request.

Motion by Carol Kooistra, second from Bryan Grover, ADOPTED, to delegate Chairman Eley to work with Zoning Administrator Sandel on options, limits and reasons for rezoning of this particular area on White Lake Drive and to provide recommendation at the February meeting.

6 AYES 1 ABSENT

Gary Gagnon, 3775 W. White Lake Drive, hands out preliminary proposal for commercial use for six hundred (600) feet of his White Lake Drive frontage with two (2) options:

Option one (1) a retail auto parts store that would easily fit inside the existing building that is already located in the East 360 feet of the White Lake frontage with an understanding that the business would require some upgrades inside and outside of the building.

Option two (2) a small auto sales business with a small display area limited to 2-3 vehicles just to the West of the barn attached to the existing driveway with an understanding that the business would require no construction, or physical changes to the existing building and could be easily opened and closed for seasonal changes. The existing barn already has an office with a handicap accessible entrance. No additional outdoor lighting being proposed.

DISCUSSION

Concerns were stated that with rezoning this area back to Neighborhood Commercial (NC), all the uses either by right or special land use would be allowed again.

Zoning Administrator Sandel states a deed restriction could be done listing only the use approved.

Commissioner Deur asks if this rezone can be done if it will conflict with the Master Plan. Chairman Eley states Tim Johnson from MainStreet Planning says that yes it can. Commissioner Deur would like an opinion from Township Attorney Eklund.

Zoning Administrator Sandel asks about making this an Open Space Planned Unit Development (OS-PUD). This way it becomes its own zone with specific requirements.

Commissioner Kooistra believes an (OS-PUD) may be viable and that we should talk to Tim Johnson from MainStreet Planning and Township Attorney Eklund for opinions.

PUBLIC COMMENT

- Gerry Farrar, 6939 Simonelli Road, states appearance is very important, if the project could be done discreetly she may support the idea. She asked the Commissioners to consider visual as well as environmental. She is not supporting or opposing at this time.

PLANNING/ZONING UPDATES

Zoning Administrator Sandel advises amendment is needed to the Private Street Serving One Lot Zoning Ordinance. Even though this is considered a private street it is really only a driveway and we need to exempt corner lot setback requirements.

**Motion by Jan Deur, second from Brian Lernowich,
ADOPTED, to set public hearing for the February
regular meeting.**

6 AYES 1 ABSENT

Zoning Administrator Sandel advises that approval for the Duck Creek Reserve Site Condominium has expired.

Commissioner Deur asks about the Citizen Planner class. Chairman Eley states she has been working with the Township Board, they were going to check with the Zoning Board of Appeals members because they would like at least four (4) to attend or take the course. Commissioner Deur reiterates that both he and Commissioner Funnell would like to attend.

Mr. Brad Ahrens, 5580 Whitehall Road, speaks from the audience. He would like to see a separate color of survey used for parcel owners that do not live in the township because he believes they would have a different mindset. He asks why the Master Plan Future Land Use map only provides for Mixed Planned Unit Development (MPUD) on the East side of Whitehall Road having a thirty (30) acre requirement, what is going to protect the West side?

Chairman Eley states it has already been decided to use only two (2) colors for the survey being sent to Neighborhood Commercial (NC) parcel owners on Whitehall Road. This will separate responses from South and North of Michillinda Road. This survey will determine if the zoning will be changed to residential or if it will remain as is. If it is to remain as is the Master Plan and Future Land Use Map will be amended to indicate such. The survey is going out the end of January, giving two (2) weeks to respond. Discussion on survey will probably be at the March meeting.

Mr. Ahrens asks how long this area has been zoned as Neighborhood Commercial (NC). He heard for at least three (3) decades. Recording Secretary Garvey will research and email Mr. Ahrens.

ADJOURNMENT

**Motion by Carol Kooistra, second from Jan Deur,
ADOPTED to adjourn the January 2, 2008 regular
meeting at 9:13 p.m.**

6 AYES 1 ABSENT

Respectfully Submitted,

Sally Garvey, Recording Secretary