

PLANNING COMMISSION
Minutes for Regular Meeting of
March 3, 2010

PRESENT Chairperson Carol Kooistra, Tom Thompson, Jan Deur, William Josephson, Brian Lernowich and Susan Hertel.

NOT PRESENT Steve Nagengast - Excused

ALSO PRESENT Zoning Administrator Sandel, Recording Secretary Garvey and 3 interested parties.

CALL TO ORDER Chairperson Kooistra called the March 3, 2010 meeting to order at 7:00 p.m. and led those in attendance in the Pledge of Allegiance.

AGENDA **Motion by William Josephson, second from Tom Thompson, *ADOPTED*, to accept the March 3, 2010 meeting agenda as written.**

6 AYES 1 ABSENT

MINUTES **Motion by Jan Deur, second from Sue Hertel, *ADOPTED*, to accept the February 3, 2010 regular meeting minutes as written.**

6 AYES 1 ABSENT

PUBLIC COMMENT

1. Steven Potter, 5382 South Shore Drive, asks if the Agricultural Overlay be added to his vacant 80 acre parcel on Blank Road so he can raise a small herd of angora goats. He has no intention of building a house on this property but would need a small pole barn for hay storage and to have a few stalls for the goats thus the need for the Agricultural Overlay. The area currently is zoned Rural Residential (RR).

Zoning Administrator Sandel explains that he had spoken with Mr. Potter and advised him that he could either request the Agricultural Overlay be added or he could request a variance from the Zoning Board of Appeals for the building. Mr. Potter was also made aware that his property on Blank Road does not have frontage on an improved street. He was advised to contact the Muskegon County Road Commission for more information on whether they will allow him to improve the street to seasonal standards to his property. Consensus of the Commissioners was they would be willing to consider the idea of adding the Agricultural Overlay.

NEW BUSINESS

1. Proposed 2010/2011 Meeting Schedule

Chairperson Kooistra advised this meeting schedule is for regular meetings which are scheduled for the 1st Wednesday of every month. She reviewed and the dates are correct.

OLD BUSINESS

1. ARTICLE III, General Provisions, Section 3.32 Driveways, sent back by Township Board for further review.

Chairperson Kooistra advised that she requested Fire Marshal Ben Novak of the White Lake Fire Authority attend this meeting. The question has come up from both Planning Commissioners and Township Board

members of where the International Fire Code (IFC) gives requirements for driveways. Fire Marshal Novak explains that Chapter 5, Fire Service Features, Sections 502.1 Definitions and 503.2.1 Dimensions of the International Fire Code (IFC) gives the requirements for driveways. Commissioner Deur asks why driveways are not listed in Section 502.1 as a general term such as fire lane, Public Street, Private Street, parking lot lane and access roadway. Fire Marshal Novak responds that even though it is not listed a driveway is the same as a Fire Apparatus Access Road which provides fire apparatus access from a fire station to a facility, building or portion thereof. Zoning Administrator Sandel suggested adding that driveways must have a driveway travel surface of not less than 12 feet along with the other already suggested requirements. Fire Marshal Novak stated that will not work because 12' of driveway travel surface does not meet the requirement of 503.2.3 Surface, that states fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. According to Fire Marshal Novak fire trucks are 9' 9" wide and weigh up to 75,000 lbs. With an unobstructed width of not less than 20 feet two fire trucks could pass one another if necessary. Fire Marshal Novak had told Recording Secretary Garvey in a prior conversation that he does not regulate driveways for single/multi family dwellings, however, he said when his opinion is asked about driveway requirements he must enforce the International Fire Code (IFC) which the Township has adopted. Consensus was to send this issue back to the Zoning Ordinance Review Committee, Commissioner Josephson (Chair), Zoning Administrator Sandel and Zoning Coordinator Garvey along with Commissioner Thompson for further work. In response to further questions, Fire Marshal Novak indicated he was not sure about the driveway standards for the other jurisdictions comprising the White Lake Fire Authority. He also indicated that there may be some opportunity for further discussion on this standard, if Fruitland Township wishes to bring a proposal to the White Lake Fire Authority Board.

2. Duck Lake State Park Ordinance

Chairperson Kooistra gave brief overview of Draft #2 of the proposed amendment to create the Forest Recreation District. She received several things from Commissioner Thompson which she discussed with Zoning Administrator Sandel and Planner Tim Johnson. Changes that were agreed upon have been incorporated into this Draft #2. She pointed out the most important change was it has been renamed to Forest Preservation and Recreation District. Commissioner Hertel had some suggested changes. Chairperson Kooistra asked her to send them to her and she would talk to Planner Tim Johnson about them. She asked for permission to send this document when ready to Attorney Clifford Bloom for his review and comment. Consensus of commissioners was to send the document to Attorney Bloom for his review and comment. When the document is complete we will send to the DNRE for review and comment before holding public hearing and adoption.

3. Rental Property Ordinance

Commissioner Nagengast and citizen Dave Burns were appointed to a Citizen Advisory Committee (CAC) to review rental issues. Commissioner Nagengast is on vacation so Dave Burns was here to talk about why the rental property ordinance is necessary. He stated that an ordinance would give the township the right to protect both the renters and landlords. Commissioners asked if there are existing regulatory ordinances that would deal with rental issues, ie; noise, trash, etc. Who would enforce this ordinance? Chairperson Kooistra asked that commissioners (who may remain anonymous) present their comments on the advantages/disadvantages of a rental ordinance on the form prepared for this purpose, and return to her by March 10. These will be given to Supervisor St. Amour for presentation to the Board.

4. Zoning Ordinance Review Committee.

No report.

5. Review of the Township Guide to Planning and Zoning.

Commissioner Deur provided a summary of Part 6, Zoning Administration and Enforcement, Chapters 17 and 18. Chapter 17 has to do with Zoning Administration, and Chapter 18 has to do with Zoning Enforcement.

Commissioner Lernowich provided a summary of Part 7, Planning and Zoning Issues, Chapters 19 and 20. Chapter 19 has to do with the Land Division Act, and Chapter 20 has to do with Preserving Farmland, Rural Character and Open Space.

Commissioner Thompson provided a summary of Part 7, Planning and Zoning Issues, Chapter 21 which has to do with Mineral and Resource Extraction.

Commissioner Josephson provided a summary of Part 7, Planning and Zoning Issues, Chapter 22 which has to do with Waterfront Overlay Zoning.

Commissioner Hertel provided a summary of Part 7, Planning and Zoning Issues, Chapter 23 which has to do with Future Planning and Zoning Issues.

This concludes the review of the Township Guide to Planning and Zoning.

COMMISSIONERS COMMENTS

Chairperson Kooistra advises that Commissioner Josephson has been re-appointed for three years and that Commissioner Thompson will be voted on at the March Township Board meeting for re-appointment.

Chairperson Kooistra asked Commissioner Deur to take nominations for Chairperson, Vice Chairperson and Secretary to be voted on at the April meeting.

Commissioner Deur advised that the Township Board moved to join the Joint Planning Commission for one (1) year paying (\$1,000.00) and Supervisor St. Amour has been elected as Vice Chairperson.

ADJOURNMENT

**Motion by Jan Deur, second from William Josephson, *ADOPTED*,
to adjourn the March 3, 2010 regular meeting at 9:38 p.m.**

Respectfully Submitted,

Sally Garvey, Recording Secretary