

PLANNING COMMISSION
Minutes for Regular Meeting of
May 7, 2008

PRESENT Chairman Mary Eley, Tom Thompson, Sue Hertel, Jan Deur,
Brian Lernowich, Carol Kooistra.

ALSO PRESENT Zoning Administrator Don Sandel and 10 interested parties.

CALL TO ORDER Chairman Eley called the May 7, 2008 meeting to order at 6:30 p.m. and led those in attendance in the Pledge of Allegiance and advised that Bryan Grover has resigned.

AGENDA **Motion by Carol Kooistra, second from Jan Deur, *ADOPTED*,
to accept as written.**

6 AYES

MINUTES **Motion by Jan Deur, second from Brian Lernowich, *ADOPTED*,
to accept the April 9, 2008 regular meeting minutes as written.**

6 AYES

PUBLIC COMMENT – None

NEW BUSINESS

1. Pre-preliminary Site Plan Review – J McCormick LLC, Proposed C-Store (Gas Station & Storage Units)

Joel McCormick was here to present the proposed plan and answer questions.

DISCUSSION

He was asked if he already owned the parcel. He stated no, however; he does have an agreement to purchase the parcel if he gets approval for the project.

He was advised that Storage Buildings are not permitted either as a use by right or use by special land at this time. He said he would apply for just the gas station/convenience store then and if Storage Buildings were allowed at a later time he would apply for that then.

Chairman Eley asked Commissioners for their feelings on the proposed project:

Consensus of all Commissioners is they are open to consideration on the gas station/convenience store but not on the Storage Buildings without further research.

Zoning Administrator Sandel states he believes storage buildings are a legitimate use and this needs further discussion. Put on June agenda.

OLD BUSINESS**1. Pre-preliminary Site Plan Review – Revised Marcus Dunes Condominium (Private Street/Shared Drive)**

Per request again from the applicant adjourn until a subsequent meeting.

2. Campground Requirements

Chairman Eley and Commissioner Thompson (subcommittee) did some research on this issue. Chairman Eley found that in Laketon Township the minimum acreage is ten (10) acres for a campground. Commissioner Thompson talked with the owner of the White River Campground and found out that in addition to what is required by the township there are also permits required by the State of Michigan.

Commissioner Thompson stated he had reviewed plans that Bruce Coker, 3501 W. McMillan Road, submitted in 2005 and it appears all the lots would be the same size. Bruce said since then he has played with the plan and that the campground would be unique and have motor home capability.

Commissioner comments:

Commissioner Kooistra – not adverse to idea but needs to research further, has concerns with safety, campfires, water/sewer

Commissioner Lernowich – concerns with impact on neighbors, noise traffic, etc.

Commissioner Hertel – concerns with density, needs more time to research

Commissioner Deur – would like to see less dense, see wandering roads, more play space for children

Commissioner Thompson – open on changing the minimum acreage, believes current criteria needs to be amended

Consensus was that the subcommittee should continue working on looking at the township as a whole and bring thoughts back to the July meeting.

3. Private Streets Serving One Lot

Amending to add setback of at least ten (10) feet from any adjacent lot to the edge of the private street's surface and striking Extension of Existing Private Streets.

**Motion by Carol Kooistra, second from Jan Deur, *ADOPTED*,
to accept the proposed language, take under advisement and
set public hearing at the June meeting for July.**

6 AYES

4. Review ninety (90) day time constraint for Site Plan Review Final action by Planning Commission

Commissioner Deur reported that after researching the Land Division rules and discussing further with Zoning Administrator Sandel that he believes a change could create a problem. He requested the issue be adjourned and taken off the agenda for further research.

5. Wind Towers

Chairman Eley sent the proposed language to Great Lakes Renewable Energy for review and she has not heard back from them. She will follow up.

6. Definition of Common Open Space

Chairman Eley provided definitions used by the Muskegon Conservation District, Dalton Township and Laketon Township. Consensus was to have Planner Tim Johnson review the proposed definitions and offer guidance. Adjourn until June meeting, set public hearing for July.

**Motion by Carol Kooistra, second from Brian Lernowich,
ADOPTED, to accept the proposed definitions for consideration.**

6 AYES

7. Resort PUD (Michillinda Beach and Lakeside Inn)

Chairman Eley explains that a meeting was held and that owners of both Michillinda Beach Lodge and Lakeside Inn attended. The owner of Michillinda Beach Lodge is working on plans where the Lakeside Inn is not planning anything at this time but is very interested in the writing of the Resort PUD language. Planner Tim Johnson is to work further on the proposed language and then another meeting will be set.

8. Duck Lake State Park Zoning

The subcommittee (Commissioner Hertel as Chair, Commissioners Kooistra and Thompson) have not met yet. The Chair is collecting information and will then set up a meeting.

9. Neighborhood Commercial v Residential

Survey results given – 46 sent, 23 returned

10 said yes to change to Residential (7 North and 3 South of Michillinda)
13 said no to change to Residential (5 North and 8 South of Michillinda)

Correspondence from Thomas Szczesny read into record.

Public Comment

Brad Ahrens, 5580 Whitehall Road, states concern with the survey results, explains that most of the building/uses that are there now do not meet today's zoning requirements, he believes the zoning needs to be changed to residential.

Charles Ruzicka, 1574 W. Michillinda Road, concurs with Brad's comments.

Zoning Administrator Sandel and Zoning/Building Coordinator Garvey attended a meeting at West Michigan Shoreline Regional Development Commission (WMSRDC) and since we are part of the North Central Muskegon County Joint Planning Commission they would like to review and make comments on development plans as well as be made aware of zoning changes. The goal is to whenever possible develop according to the Future Land Use map done by the North Central Muskegon County Joint Planning Commission. Zoning Administrator Sandel suggests making WMSRDC aware of the possible zone change to get their input.

DISCUSSION

Commissioner Kooistra – is interested in changing the Neighborhood Commercial zoning on Whitehall Road to Rural Residential (RR)

Commissioner Lernowich – concurs with Commissioner Kooistra

Commissioner Hertel – is willing to consider

Commissioner Deur – is willing to consider, but notes that this may require a change in Master Plan

Commissioner Thompson – supports changing

Chairman Eley – supports changing

**Motion by Mary Eley, second from Carol Kooistra,
ADOPTED, to adjourn until the June meeting allowing
Chairman Eley and Commissioner Deur time to review
further and get opinion from Planner Tim Johnson.**

6 AYES

- 10. Medium Density Residential (MDR) zoning district – Recommend 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.**

Comments were reviewed from the returned surveys. Consensus is that the recommendation should be made based on survey results to make the amendments with an effective date of January 1, 2009, giving parcel owners time to divide land if they want to and also to work on getting a press release to advise of the changes and when they will be effective.

**Motion by Carol Kooistra, second from Jan Deur,
ADOPTED, to set public hearing for the June meeting.**

6 AYES

COMMISSIONERS COMMENTS**PLANNING/ZONING UPDATES**

- 1. ARTICLE III, GENERAL PROVISION, SECTION 3.23 NON-CONFORMING BUILDINGS, STRUCTURES AND USES** Expansion and Substitution of Nonconforming Buildings or Structures (E) Lots of Record (3.) – Discuss amendment to add Lake Michigan Shoreline District (LMSD), Inland Lakes District and North Duck Lake Overlay District

**Motion by Mary Eley, second from Carol Kooistra,
ADOPTED, to set public hearing for the June meeting.**

6 AYES

ARTICLE III, GENERAL PROVISIONS, SECTION 3.32 DRIVEWAYS – Discuss amendment to the required width and height of cleared driving area.

Consensus of the Commissioners is not to amend, they believe the current requirements are satisfactory.

- 2. **ARTICLE XVIIIa, PRIVATE STREETS SERVING ONE LOT, SECTION 18.04a EXTENSION OF EXISTING PRIVATE STREETS** – Discuss amendment to strike, according to SECTION 18.01a SCOPE (E) No additional lots shall use this private street for future access.

This is covered under Old Business (3).

- 3. **ARTICLE XX, ADMINISTRATION AND ENFORCEMENT, SECTION 20.02 ZONE DISTRICTS**
Delete (J) LI Light Industrial District
Amend (L) Lake Michigan Shoreline Overlay District
Add Inland Lakes District
Add North Duck Lake Overlay District

Motion by Mary Eley, second from Jan Deur, *ADOPTED*, to set public hearing for the June meeting.

6 AYES

COMMISSIONERS COMMENTS

Commissioner Deur – advises effective September 1, 2008 there will be a new Michigan Planning Enabling Act that repeals the following acts: 1931 PA 285, MCL 125.31 to 125.45, 1945 PA 282, MCL 125.101 to 125.115 and 1959 PA 168, MCL 125.321 to 125.333 which may require some amendment to our existing ordinances. Secretary Garvey was aware, she has printed the document and will share it with the Planning Commissioners for review.

Commissioner Kooistra – advises she asked for an article to be put in the upcoming newsletter to encourage upkeep of septic systems.

Commissioner Thompson – questions stumps along Orshal Road at the VanderBie Blueberry Farm parcel, was this approved with the Special Land Use Permit?

ADJOURNMENT

Motion by Jan Deur, second from Sue Hertel, *ADOPTED* to adjourn the May 7, 2008 regular meeting at 8:51 p.m.

6 AYES

Respectfully Submitted,

Sally Garvey, Recording Secretary