

**PLANNING COMMISSION**  
**Minutes for (Rescheduled) Regular Meeting of**  
**July 9, 2008**

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

**ALSO PRESENT** Zoning Administrator Don Sandel and 11 interested parties.

**CALL TO ORDER** Chairman Eley called the July 9, 2008 meeting to order at 6:30 p.m. and led those in attendance in the Pledge of Allegiance.

**AGENDA** **Motion by Jan Deur, second from Tom Thompson, *ADOPTED*, to amend the agenda as follows:** Old Business 7. (Neighborhood Commercial v Residential – Town Hall meeting scheduled for September ~~10~~ 10, 2008 at 6:30 p.m. with all property owners being notified by mail) **and accept as amended.**

**6 AYES**

**MINUTES** **Motion by Carol Kooistra, second from Jan Deur, *ADOPTED*, to accept the June 4, 2008 regular meeting minutes as written.**

**6 AYES**

**PUBLIC COMMENT**

- Chris Deur, 2761 Scenic Drive, requests elimination of the Agricultural Overlay District in support of the Townships current Master Plan and Farmland and Open Space Act (FOSA). Farms are an inherent component of rural character and open space preservation.

**PUBLIC HEARINGS**

**1. Resolution for Recommendation 2008-07-09 #1**

**Motion by Carol Kooistra, second from Sue Hertel, *ADOPTED*, to recommend approval of amendment to Article XVIIIa, Private Streets Serving One Lot, as written below.**

**6 AYES**

**ARTICLE XVIIIa**  
**PRIVATE STREETS SERVING ONE LOT**

**SECTION 18.01a SCOPE**

**F. Private streets serving one lot must have a setback of at least ten (10) feet from any adjacent lot to the edge of the private street's surface.**

~~F~~ **G.** Previously approved private streets that are not adding additional lots and/or are not being extended, are not required to meet the current private street standards. Existence of an easement alone does not constitute a previously approved private street.

~~SECTION 18.04a EXTENSION OF EXISTING PRIVATE STREETS~~

~~Prior to the extension of a private street serving one lot, the Zoning Administrator shall review an application submitted in accordance with the requirements of Article XVIII, Private Streets Serving Two (2) to Thirty (30) Lots. Extension of private streets shall be subject to the following requirements:~~

- ~~A. If the extension of the existing street increases the number of dwelling units served, such that an increase in the design standard is required, the entire street shall be brought up to those design and construction standards.~~
- ~~B. A private street maintenance agreement that is satisfactory to the township must be executed by all parties having a right to use the private street and shall be recorded with the Muskegon County Register of Deeds. Existing private street maintenance agreements or restrictive covenants must be modified to include all new parties proportionately for the entire length of the private street.~~

**SECTION 18.054a PERMITTING, INSPECTION AND FINAL ACCEPTANCE PROVISIONS****SECTION 18.065a MISCELLANEOUS****PUBLIC HEARING OPEN 6:40 p.m.**

NONE

**PUBLIC HEARING CLOSED 6:41 p.m.****DISCUSSION**

Commissioner Kooistra commends the subcommittee for meeting with interested residents when working on this proposed language. A subcommittee was set of (Commissioners Deur, Thompson, Lernowich and Zoning Administrator Sandel) to review Private Streets Serving Two (2) to Thirty (30) Lots and the Private Street Design and Construction Standards Minimum Design Requirements for possible amendment to add a setback from any adjacent lot to the edge of the private streets surface according to the number of lots served.

**2. Resolution for Recommendation 2008-07-09 #2 –**

Application from Nichole Page for a Special Land Use Permit according to Article XIV SPECIAL LAND USES, Section 14.04 (M) for an approved use according to Section 4.03 (L) in order to operate a Group Day Care Home at 3927 Dame Road, Whitehall, Michigan. Parcel Identification Number: 61-06-109-400-0002-30.

**Motion by Sue Hertel, second from Carol Kooistra, *ADOPTED*, to recommend approval of a Special Land Use Permit according to Article XIV SPECIAL LAND USES, Section 14.04 (M) requirements being met for an approved use according to Section 4.03 (L) in order to operate a Group Day Care Home at 3927 Dame Road, Whitehall, Michigan. Parcel Identification Number: 61-06-109-400-0002-30.**

**6 AYES**

Applicant Nichole Page gave a brief overview of why she has requested a Special Land Use Permit to operate a Group Day Care Home. She has a degree in teaching so it will be run as a daycare/preschool. She believes for preschool more children are required to accomplish the right setting than are allowed in a

Family Day Care Home (in which care is provided for more than one (1) but less than seven (7) minor children that is allowed as a use by right.

**PUBLIC HEARING OPEN 7:00 p.m.**

- Gerry Farrar, 6939 Simonelli Road, supports.

**PUBLIC HEARING CLOSED 7:02 p.m.**

**NEW BUSINESS**

Pre-preliminary Site Plan Review – Powder River Properties LLC, 61-06-112-400-0004-25, Raymond D. and Patricia A. Wiseman, 61-06-112-400-0004-20, presentation of proposed business on corner of Whitehall Road and Michillinda Road.

Mike Johnson from Bronold Builders was here to address the Planning Commission regarding 1650 W. Michillinda Road, parcel number 61-06-112-400-0004-20. At the present time this property is being used mostly for parking of vehicles. It is a 100% staging area. Employees park there and leave to do property preservation work (mostly foreclosures). He said they are working on a site plan to try and continue using the property as they are now meeting short term goals. The site plan will also include the clean up of the vacant adjacent parcel 61-06-112-400-0004-25.

**OLD BUSINESS**

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

Strike from future agendas since the property owner and his attorney were not present and we have not heard back from them.

2. Campground Requirements

**Motion by Carol Kooistra, second from Jan Deur, ADOPTED,  
to direct the subcommittee to do further study and make a  
recommendation at the August meeting.**

**6 AYES**

**DISCUSSION**

Commissioners are still not comfortable changing the minimum from thirty (30) acres to twenty (20) acres so they are directing the subcommittee to do further study. They would like to find out the common acreage for a campground. Zoning Administrator Sandel stated they may want to check with Newaygo County for information.

3. Wind Towers

Jeremy Wittrock of Great Lakes Renewable Energy contacted Commissioner Deur and said he is willing to either meet with us or to be part of a conference call to discuss his review of our proposed ordinance language. Commissioner Deur will set up a date/time for a conference call.

#### 4. Definition of Common Open Space

**Motion by Carol Kooistra, second from Mary Eley, *ADOPTED*,  
to set public hearing for the August 6, 2008 meeting.**

#### 5. Resort PUD (Michillinda Beach and Lakeside Inn)

Special Meeting scheduled for July 23, 2008 at 6:30 p.m. for discussion of language to be provided by Planner Tim Johnson.

#### 6. Duck Lake State Park Zoning

The subcommittee (Commissioner Hertel as Chair, Commissioners Kooistra, and Thompson) held their first meeting on June 9, 2008, they are continuing to obtain pertinent information and will update again after they meet again.

#### 8. Neighborhood Commercial v Residential

Because the survey results are so close consensus was to schedule a meeting and invite all property owners and the North Central Muskegon County Joint Planning Commission to discuss a possible zoning change. The meeting will be held on September 10, 2008 at 6:30 p.m. Mail letters to residents, West Michigan Shoreline Regional Development Commission and members of the Muskegon County Joint Planning Commission the week of August 11, 2008.

### COMMISSIONERS COMMENTS

Commissioner Deur states that the new Michigan Planning Enabling Act should be added under Old Business of future agendas. The language has been referred to Planner Tim Johnson with a request for guidance.

At the August meeting it must be considered to have Vice Chair Carol Kooistra become Chair to replace Chairman Eley and to vote on a new Vice Chair because the new Michigan Planning Enabling Act language states that an ex officio member of the planning commission is not eligible to serve as chairperson.

### PLANNING/ZONING UPDATES

### COMMISSIONERS COMMENTS

### ADJOURNMENT

**Motion by Jan Deur, second from Brian Lernowich, *ADOPTED*  
to adjourn the July 9, 2008 rescheduled regular meeting at 8:24 p.m.  
6 AYES**

Respectfully Submitted,

Sally Garvey, Recording Secretary