

PLANNING COMMISSION
Minutes for Regular Meeting of
August 5, 2009

- PRESENT** Chairperson Carol Kooistra, Tom Thompson, Jan Deur, Sue Hertel, William Josephson, Brian Lernowich and Steve Nagengast.
- ALSO PRESENT** Zoning Administrator Sandel and 7 interested parties.
- CALL TO ORDER** Chairperson Kooistra called the August 5, 2009 meeting to order at 7:00 p.m. and led those in attendance in the Pledge of Allegiance.
- AGENDA** **Motion by Steve Nagengast, second from Sue Hertel, *ADOPTED*, to accept the August 5, 2009 meeting agenda as written** **7 AYES**
- MINUTES** **Motion by Sue Hertel, second from Jan Deur, *ADOPTED*, to accept the July 1, 2009 regular meeting minutes as written.** **7 AYES**

PUBLIC COMMENT

Sam St. Amour, Fruitland Township Supervisor – Acknowledges and thanks Planning Commissioners and Staff for all their hard work on Ordinances.

NEW BUSINESS

1. Set Public Hearing for Private Street Application from Gerald Henning, Sealand, Inc., 1116 Fitzgerald St., Nunica, MI 49448, for final construction of a existing recorded Private Street named Sheltering Way providing ingress/egress to Marcus Dunes Condo units located in Section 24 off Scenic Drive according to Article XVIII Private Street Serving Two (2) to Thirty (30) Lots.

Motion by Jan Deur, second from William Josephson, *ADOPTED*, to set put hearing for September 2, 2009

7 AYES

Mr. Joe Shelton gave brief overview of issues that caused delays by the Department of Environmental Quality (DEQ) for the past several years. He introduced Gerald Henning who is his step-son and partner, Dennis Dunlap from West Shore Engineering and Randall Kraker from Varnum Law Firm. Mr. Kraker requested they be allowed to use a shared driveway instead of a private street. The parcels already have road frontage on the existing constructed private street and if they could do it a shared driveway it could be gravel instead of paved. Chairperson Kooistra asked for Zoning Administrator Sandel's opinion. Zoning Administrator Sandel explains this is a previously approved recorded private street that was never constructed, if they would be allowed to do a shared driveway it would be a major change and the full project would have to come before the Planning Commission for approval which means the project would have to meet today's zoning requirements. If they request approval for the construction of the already approved thirty-three (33) foot right of way to the construction standards the lots would remain lots of record. Mr. Kraker stated that given this information, they wish to proceed with the Private Street Application process.

2. Review of the Township Guide to Planning and Zoning, Part 2, Chapters 5 & 6.

Commissioner Deur provided a summary of Part 2, The Legal Foundations of Township Planning and Zoning Authority, Chapters 5 & 6. Chapter 5 has to do with coordinating township planning and zoning with other governmental units. Chapter 6 has to do with requirements for public access to planning and zoning meetings and records.

3. Master Plan Amendment Review Process.

Chairperson Kooistra did brief overview of the Master Plan Amendment Review Process for 2009 – 2010. She is hoping for final approval in either January or February 2010. She asks Commissioners to set up a meeting time with their respective Township Board of Trustee for discussion and to have summaries ready for a meeting in September.

OLD BUSINESS

1. Duck Lake State Park Zoning – Update.

Chairperson Kooistra explains this is not an easy process. She has asked Planner Tim Johnson to speak with Commissioners at a future meeting regarding this task.

2. Zoning Ordinance Review Committee – Update.

Commissioner Josephson went over the list that was provided in Commissioners packets of things the review committee is working on. Chairperson Kooistra asked that the committee, Commissioner Josephson, Zoning Administrator Sandel and Zoning Administrator Coordinator Garvey work together to write recommendation for things as they are ready and put on the agenda to set public hearing.

PLANNING/ZONING UPDATES

Chairperson Kooistra advised that herself as Chair, Commissioner Deur as the Township Board Liaison, Zoning Administrator Sandel and Zoning Coordinator Garvey all have a copy of the MTA Township Planning & Zoning Decision-making handbook and that the Commissioners may contact any one of them if they have a question.

COMMISSIONERS COMMENTS

Commissioner Nagengast shared information from a MTA seminar he attended on the topic of Local Undesirable Land Uses (LULUs). The list of LULUs he provided will be used when reviewing the Master Plan.

ADJOURNMENT

**Motion by Jan Deur, second from Brian Lernowich, ADOPTED,
to adjourn the August 5, 2009 regular meeting at 8:50 p.m.**

7 AYES

Respectfully Submitted,

Sally Garvey, Recording Secretary