

PLANNING COMMISSION
Minutes for Regular Meeting of
September 2, 2009

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

ALSO PRESENT Zoning Administrator Sandel and 2 interested parties.

CALL TO ORDER Chairperson Kooistra called the September 2, 2009 meeting to order at 7:00 p.m. and led those in attendance in the Pledge of Allegiance.

AGENDA **Motion by Jan Deur, second from Sue Hertel, *ADOPTED*, to accept the September 2, 2009 meeting agenda as written** **7 AYES**

MINUTES **Motion by Steve Nagengast, second from Brian Lernowich, *ADOPTED*, to accept the August 5, 2009 regular meeting minutes as written.** **7 AYES**

NO PUBLIC COMMENT

PUBLIC HEARING

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 Tom Thompson, second from Jan Deur, *ADOPTED*, to adjourn this until the October 7, 2009 meeting allowing the applicant time to make revisions to construction plan and submit to agencies for review and comment.

7 AYES

PUBLIC HEARING OPEN 7:06 p.m.

Mr. Matt Zimmerman, attorney for the applicant states they would like to request the Planning Commission adjourn this to give them a month to make revisions according to remarks from different entities and submit a revised construction plan at the October meeting. He said they understand they will be waiving the requirement of Article XVIII; Section 18.04 (B) The Planning Commission shall act on the private street construction application within 30 days of the hearing.

CORRESPONDENCE

Douglas & Jennifer Zwemer, 6335 Sheltering Way and Ronald & Kelly Peel, 6405 Sheltering Way sent letter of approval.

Bill Traynor, 6305 Sheltering Way asked if the Commissioners received his letter stating no objection to the proposal that he put in the night deposit box, Recording Secretary Garvey stated she had not received it but will be sure and get it tomorrow and put with the file.

PUBLIC HEARING CLOSED 7:09 p.m.**DISCUSSION**

- Commissioner Josephson had no comment.
- Commissioner Hertel states she believes the Muskegon County Road Commission concerns are substantial. The applicants engineer Dennis Dunlap believes that after talking with the Muskegon County Road Commission they can take care of the issues and obtain approval from them.
- Commissioner Nagengast states he understands the applicant has obtained State approval but asks if the Lake Michigan Shoreline District requirements have to be followed. Zoning Administrator Sandel explains because this is a Site Condominium that was already recorded unless they make a change from what was recorded they do not have to follow the Lake Michigan Shoreline District requirements.
- Commissioner Lernowich had no comment.
- Commissioner Deur asks if additional DEQ permits will be needed when the individual units are built upon and requests a copy of the DEQ approval. Attorney Zimmerman states that the Directors affirmation is the permit for the construction of the private street and he thought Zoning Administrator Sandel had a copy but he will send another. Individual DEQ permits will be required for building on the units.
- Commissioner Thompson asks White Lake Fire Authority Fire Marshal Ben Novak if the requirements of either the National Fire Protection Association code or maybe one for Michigan could be used. Fire Marshal Novak responds that if no fire code has been adopted by a township then the state would refer to the National Fire Protection Association code otherwise the requirements of whatever code has been adopted must be followed.
- Chairperson Kooistra asks White lake Fire Authority Fire Marshal Ben Novak what the biggest concern is; he stated the length of the street because the requirements change according to length. He has concerns with fire trucks having access. For approval all concerns must be addressed and a revised plan submitted for review.

2. Review of the Township Guide to Planning and Zoning, Part 3, Chapters 7, 8 & 9.

Commissioner Lernowich provided a summary of Part 3, Planning and Zoning Functions and Responsibilities, Chapters 7 & 8. Chapter 7 has to do with the Township Board having to transfer by resolution the duties of the former zoning board to a zoning commission, or by ordinance create a planning commission with all the powers and duties provided by the MZEA and MPEA. The Township Board has already adopted an ordinance doing this. Chapter 8 has to do with the Zoning Board of Appeals role being unique and important.

Chairperson Kooistra provided a summary of Part 3, Planning and Zoning Functions and Responsibilities, Chapter 9. Chapter 9 has to do with building a Township Planning and Zoning Team and the importance of how each of the individuals or bodies involved in zoning, planning and related aspects of township government coordinate and cooperate.

OLD BUSINESS**1. Master Plan Amendment Review Process.**

Chairperson Kooistra asked if all Commissioners had met with their Township Board member. All but Commissioner Josephson has. She asked that Commissioner Josephson schedule time with Supervisor St. Amour at his earlier convenience. She requests summaries/bullet points be given to her as soon as possible so she can review and draft a summary for the meeting scheduled for Monday September 21, 2009 at 3:00 p.m.

2. Duck Lake State Park Zoning – Update.

Chairperson Kooistra explains that Planner Tim Johnson believes we can not hold the entire park from being built upon if ever sold. His suggestion is to zone a portion as park. Chairperson Kooistra is working with Zoning Administrator Sandel on creating a description of a portion along the Shore of Duck Lake that would remain park and will provide recommended language for discussion when available.

3. Zoning Ordinance Review Committee – Update.

Commissioner Josephson handed out proposed language for amendments for review and discussion at the next meeting.

PLANNING/ZONING UPDATES

None

COMMISSIONERS COMMENTS

Commissioner Deur as liaison to Township Board explains that on Tuesday September 15, 2009 at 3:00 p.m. the Township Board will meet with the Parks and Recreation Commission to discuss the Recreational Master Plan and other matters of joint concern. Supervisor St. Amour has appointed a Citizen Advisory Committee to discuss and provide input regarding residential rentals with Commissioner Nagengast as Chair. The Master Plan Approval process is that the Township Board must approve the plan prior to Public Hearing being held and sending out to neighboring communities for review but they have opted not to be the adopting body. The Muskegon Countywide Planning Commission meeting will be held on September 30, 2009 at 3:00 p.m. Finally, the Board of Trustees has established a Regulatory Ordinance Review Committee, which will be headed up by Trustee Bole.

ADJOURNMENT

**Motion by Brian Lernowich, second from Jan Deur, ADOPTED,
to adjourn the September 2, 2009 regular meeting at 8:40 p.m.**

7 AYES

Respectfully Submitted,

Sally Garvey, Recording Secretary