

PLANNING COMMISSION
Minutes for Regular Meeting of
January 2, 2020

PRESENT Commissioners Dave Roesler, Leslie Sprott, William Josephson, Mike Holman, John Warner and Maribeth Picard.

ALSO PRESENT Zoning Administrator Val Jensen, Recording Secretary Sally Dion and **38** interested parties.

NOT PRESENT Ina Ray

CALL TO ORDER Chairperson Roesler called the January 2, 2020 meeting to order at 6:00 p.m. and led those in attendance in the Pledge of Allegiance.

AGENDA Motion by Commissioner Holman, second from Commissioner Warner, **ADOPTED**, accept the agenda as written.

6 AYES
1 ABSENT

MINUTES Motion by Commissioner Sprott, second from Commissioner Warner, **ADOPTED**, to **AMEND**, by adding Attorney Even under Also Present and accept the December 5, 2019 minutes as amended.

6 AYES
1 ABSENT

PUBLIC COMMENT

1. Irene Pierson, 6100 Murray Road, requested to be on record that she was here to get information on the application and may have questions or concerns at Public Comment during the hearing.

PUBLIC HEARING

Parcel Numbers 61-06-012-300-0018-00 5700 Scenic Drive, 61-06-012-300-0023-00 6934 South Shore Drive, 61-06-012-300-0020-00 Vacant Scenic Drive, LSI Real Estate LLC, Buzz's Lakeside Inn, owner Wallace Kaehler Jr., requests a Special Land Use Permit according to Article XIV Special Land Uses, Section 14.04 LL. Historic Resorts, for the purpose of the Township recognizing the existing resort which has contributed to the historic character of Fruitland Township, in the Inland Lakes District.

Chairperson Roesler welcomed guests and explained the Public Hearing being held tonight is not for a Zone Change. These parcels are and will remain in the Inland Lakes District. In all zoning districts there are Uses Permitted by Right and Uses Permitted by Special Land Use. The application tonight is to request a Special Land Use for a Historic Resort in the Inland Lakes District according to Article XIV, Section 14.04 LL. At this time the resort is operating as a non-conforming use, it can continue as is but no changes can be made. Being non-conforming has many restrictions. The Special Land Use Historic Resort language was created for the Lakeside Inn and Hollister's properties. If a Special Land Use Permit is approved it moves them from the non-conforming status.

PUBLIC HEARING OPEN 6:15 P.M.

Zoning Administrator Jensen stated he has what is required for the pending Special Land Use Application.

CORRESPONDENCE

Chairperson Roesler advised we received correspondence from the following:

1. Mike & Judy Reed, 5982 South Shore Drive, supports.
2. Sheila Daugherty, 5575 Scenic Drive, supports.
3. Lawrence Page, supports.
4. Dallas & Sharon Dort, 6011 Murray Road, 6039 Murray Road, supports.
5. Mike Byam, supports.
6. Cade & Whit Sibley, 5841 Murray Road, supports.
7. Mary & William Singleton, 4901 Scenic Drive, supports.
8. Kathy Sicher, 5625 McFall Cir., supports.
9. Mark & Faith VanVliet, supports.
10. Chuck Miller, 5756 Duck Lake Road, supports.
11. Kathy & Tom McGreal, 4030 Scenic Drive, supports.
12. Jim & Jane Zwiers, 5636 Duck Lake Road, supports.
13. Dave & Chris Pequet, 15 Salt Creek Lane, #404, Hinsdale, IL, supports.
14. Frank Lundell Jr., 3239 Scenic Drive, supports.
15. Robert J. Penny, 5830 Duck Lake Road, supports.
16. James Runyan & Marcia Funnell, 6070 Scenic Woods Circle, supports.
17. George Byam, 6420 South Shore Drive, supports.
18. Rev. Robin Whitlock, President, Lakeshore Dunes Homeowners Association, improvements are one thing, growth is another. With not knowing the changes that are being considered the hope is that the process will be considered carefully and shared far afield in order for many to contemplate and respond.
19. Verlin Bush, 6472 Woodtrail Ct., supports.
20. Barbara Craft & John Otterbacher, appreciate the upgrades Buzz has made to the property, he has been a good neighbor, however they do have concerns about Buzz's interest in selling or soliciting additional partners to expand his business. They know many of the existing buildings on the property need renovation or replacement and would support these initiatives. Has concerns, however, about an increase in density, traffic, noise, sewage and detrimental changes to the quality and character of the neighborhood.
21. Thomas & Sandra Huebner, 6002 South Shore Drive, supports.
22. Frank & Judy Lee, 7126 Rogers Road, not opposed to improvements, however, are very concerned about the nature of future improvements or expansion and the environmental impact they will have.
23. Ronald & Nan Bruskotter, supports.
24. Frank E. Wierengo, 4917 Scenic Drive, supports.
25. Craig Kouri, opposed without an actual redevelopment proposal from the current land owner or future land owner.
26. Richard Klassen, 4321 Indian Point Road, supports.
27. Brenda Groessl & Terra Kunish, 5710 Scenic Drive, concerned about current conditions.
28. John Closz, resident of N. Muskegon, supports.
29. Mark J. Zickel, supports.

30. Candace & Mark Hinshaw, 5792 South Shore Drive, supports.
31. Susan Savoie, 5310 South Shore Drive, supports.
32. Candace Hinshaw, left Supervisor Jeske Voice message, supports.
33. Katherine Davis, 6035 Murray Road, supports.
34. Charles Kushell, Steve Novak, Brenda Groessl, neighbors adjacent to Lakeside Inn, express concerns about current conditions.

Applicant Kaehler advised 7 of the most profitable rentals were unable to be used because of a failing septic system and being partially under water this past season. High water has caused major issues. Before spending a lot of money for plans, application fees, etc., he wants to be recognized as a Historic Resort.

PUBLIC COMMENT

1. Rob Hansen, 4919 W. Giles Road, states he is good friends of Buzz and Nan, previous owner of the Red Rooster, stated this is a wonderful community and Buzz's Lakeside Inn is a gem, supports.
2. Frank Wierengo, 4917 Scenic Drive, states he also represents the Singletons, Doyles and McNiels, and agrees with Rob's comments, businesses need to be viable, supports.
3. Dr. Robert Penny, 5830 Duck Lake Road, states he submitted correspondence, supports.
4. Mark Hinshaw, 5792 South Shore Drive, states he submitted correspondence, Lakeside Inn was the place to stay when visiting the area, critical time with high water to allow changes to keep people coming to the area.
5. Karolyn Rillema, 5549 Scenic Drive, states when reviewing the Site Plan Review and Special Land Use language she has the following concerns, being seasonal what months are included? Article XIV Special Land Uses, Section 14.04 LL. Historic Resorts language said they must preserve and protect the shoreline of resort property abutting White Lake; however, they have both a failed septic system and failing seawall, drainage issues, will this be taken care of? Parking, many times overflows onto roadway, do they have approvals from all regulatory agencies?
6. Charlie Deupree, 6142 Scenic Woods Circle N., supports.
7. Robert Wright, 6285 South Shore Drive, states he is representing the Turk family, states he would like to know if one of the houses was included and has parking concerns.
8. Mike Cook, 6016 South Shore Drive, states he also represents the O'Connells, supports.
9. Tim Langland, 6285 South Shore Drive, states he is representing the Turk family, states he takes exception of the house and parking, he understands it needs to be viable, does the Special land Use Permit expire? Supports only the one property on the lake being part of the Historic Resort.
10. Tom Carmody, 5601 Scenic Drive, states the resort gives employment, nice place, needs to survive, supports.
11. Erin Otterbacher, 7096 Rogers Road, on behalf of parents Barb Craft and John Ottebacher, states concerns with parking, septic, density, and season length.
12. Jim Ziemba, 4387 Winterwood Shores, states he has used this resort for lodging, supports.
13. Ann Dake, 6860 South Shore Drive, echo's support, encourages approval.
14. Robin Novak, 6958 South Shore Drive, states this needs to be approved as soon as possible, supports.
15. Terra Kunish, on behalf of Groessl family, supports, however, has concerns for some of the uses that can be requested, season length, and drainage issues.

Applicant Kaehler responded by stating he is concerned about the septic issue as well; they are not using the building connected to it. Said again before spending a lot of money he needs to know if it is going to be recognized as a Historic Resort.

PUBLIC HEARING CLOSED 6:49 P.M.

Chairperson Roesler stated the intent is not to increase the density, he asked Buzz for the number at full occupancy. The number was determined to be 158.

The Commissioners went over the review standards, most of the standards are for development not something existing. One of the standards refers to parking, it has been determined by Zoning Administrator Jensen the number of parking spots now is 90 cars. Another standard had to do with lighting, at this time there are no lighting issues. The standard pertaining to fencing brought forth a comment from the neighboring owner that maybe a chain link fence would keep the resort people off her property. The standard pertaining to septic was answered that those rentals hooked to the failing septic have been red tagged by the Muskegon County Health Department and are not being used, this issue will be taken care of with the next application.

Commissioner Holman asked if there was parking for handicap, fire and EMS.

Applicant Kaehler stated there are 2 handicap spots, however, nothing for fire and EMS, they go wherever.

Chairperson Roesler advised the current months of operation need to be established.

Applicant Kaehler stated the season is May 1 – October 31.

Zoning Administrator Jensen states he has the documents needed to recommend approval, these parcels are included in the ordinance and the site plan submitted defines what is going on at this time.

Motion by John Warner, second from Mike Holman, **ADOPTED**, to recommend approval to the Township Board of Trustees a Special Land Use Permit for Parcel Numbers 61-06-012-300-0018-00 5700 Scenic Drive, 61-06-012-300-0023-00 6934 South Shore Drive, 61-06-012-300-0020-00 Vacant Scenic Drive, according to Article XIV Special Land Uses, Section 14.04 LL. Historic Resorts, for the purpose of the Township recognizing the exiting resort which has contributed to the historic character of Fruitland Township, in the Inland Lake District with the following stipulations: **1)** Seasonal months of operation May 1 – October 31 with the exception of Parcel Number 61-06-012-300-0012-00 6934 South Shore Drive, **2)** Enforce quiet hours 11 p.m. to 7 a.m. and quiet hour signs posted at activity sites, **3)** Lodging occupancy for sleeping maximum defined at 158 persons, **4)** Each building or area must not exceed fire code for occupancy, **5)** Maintain at least Sixty-Nine (69) parking spaces for guests and employees, **6)** Wedding receptions, graduation parties, family reunions, and other similar outdoor gatherings and uses are subject to Approval by the Township Board following recommendation by the Planning Commission and shall not exceed 150 persons which are typically associated with a resort. Any wedding reception, graduation parties, family reunions, and other similar outdoor gatherings and uses that exceeds 150 persons which are typically associated with a resort must seek specific Township Board approval.

**6 AYES
1 ABSENT**

FRUITLAND TOWNSHIP PLANNING COMMISSION January 2, 2020 REGULAR MEETING MINUTES

Chairperson Roesler explained that just because different uses are listed, ie; ball fields it does not mean they would be allowed. Concerns about the failing seawall were voiced, he advised seawalls are not required. This application is just asking for approval to continue as they are. He also explained the application process and time limits.

NEW BUSINESS

Ratification of Bylaw amendment, day of meeting changed from Wednesday to Thursday with effective date of September 3, 2015.

Motion by William Josephson, second from Mike Holman, ***ADOPTED***, to amend Bylaws to change the day of the meeting from Wednesday to Thursday.

**6 AYES
1 ABSENT**

PLANNING/ZONING UPDATES

None.

ADJOURNMENT

Motion by Commissioner Warner, second from Commissioner Sprott, ***ADOPTED***, to ***ADJOURN***, the January 2, 2020 regular meeting at 8:21 p.m.

**6 AYES
1 ABSENT**

Respectfully Submitted,

Sally Dion, Recording Secretary
Township of Fruitland