

PLANNING COMMISSION
Minutes for Regular Meeting of
October 4, 2018

PRESENT Commissioners Dave Roesler, Leslie Sprott, Ina Ray, John Warner, William Josephson, Mike Holman and Tom Thompson.

ALSO PRESENT Zoning Administrator Val Jensen, Recording Secretary Sally Dion and 1 interested party.

CALL TO ORDER Chairperson Roesler called the October 4, 2018 meeting to order at 6:30 p.m. and led those in attendance in the Pledge of Allegiance.

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

7 AYES

MINUTES Motion by Commissioner Josephson, second from Commissioner Sprott, **ADOPTED**, to accept the July 5, 2018 minutes as written.

7 AYES

PUBLIC COMMENT

1. Miguel Ochoa, 13982 Lake Michigan Dr., West Olive, MI 49460, stated he is here to answer any questions if there are any. He is looking at purchasing a property at 2460 N. Weber Road that was given past approval for Blueberries. If purchased they would like to continue the Blueberry farming, however, need to know if they have to come for any other approval.

Zoning Administrator Jensen advised the Commissioners that Zoning Administrator Sandel a few years back gave Zoning Permit approval to plant this entire property with Blueberries, the parcel is located in the Rural Residential District with Agriculture Overlay.

Consensus of Commissioners is that if the parcel was already approved if they purchase, they may continue. If they decide to do any building(s) they must apply for approval. They asked Zoning Administrator Jensen to please send a letter indicating such to Mr. Ochoa.

OLD BUSINESS

Ordinance Review

Attorney Even did a Memorandum regarding Day care and Group Homes and Carport Land Use Regulations.

Short discussion was held on both documents.

According to Attorney Even to a limited extent carports are regulated under our ordinances as a “garage”, “accessory building” and/or “structure” and need to satisfy the site development standards set forth in any zoning district.

Consensus was to maybe look at adding some of the language from the definition of “Building”.

FRUITLAND TOWNSHIP PLANNING COMMISSION October 4, 2018 REGULAR MEETING MINUTES

According to Attorney Even there appears to be internal inconsistencies within the Township's zoning ordinance that require attention dealing with state licensed residential facilities. Michigan statutes to a large extent limit a township's power to regulate such facilities by ordinance. He suggests using the language adopted by the legislature in our ordinances: Michigan law provides (MCL 125.3206).

A sub-committee of Commissioners Sprott, Holman and Thompson will meet and review.

Zoning Administrator Jensen stated there are major issues with the existing fence ordinance. He had some sample language from a couple of other townships.

Commissioner Josephson asked what is going to be done about fences, it needs work.

Zoning Administrator Jensen concurred, said needs review, sketch we have is not correct in the fence ordinance and most of it is going to be very hard to enforce.

Consensus was to have sub-committee review current language. Zoning Administrator Jensen stated he would need to be part of the sub-committee and it would need to wait until January or February 2019.

Commissioner Josephson and Chairperson Roesler will be on said sub-committee with meeting(s) to be scheduled in January or February 2019 as time permits.

PLANNING/ZONING UPDATES

Commissioner Warner commented about two applications that the Zoning Board of Appeals acted on in the past couple months. One was for the demolition of 4 existing cottages being replaced with 3 cottages on existing footprints moving 3' to meet setbacks on a non-conforming lot. The other was to combine two non-conforming lots of record that would not meet zoning requirements for the Inland Lakes District, the owner was requesting to combine so they could do an addition, with survey done it was found the house is right in the middle of the two parcels. Both variance requests were granted.

COMMISSIONER COMMENTS

Commissioner Josephson stated he met with Dallas from the Muskegon Conservation District regarding Water Quality Protection of the Duck Creek Watershed. He said it was very interesting. Dallas commended the township, however, stated we don't have ordinances to back up the Master Plan. Fertilizer needs to be regulated on lakefront properties, there is a gap from what the State requires re: under five (5) acre parcels on water/wetlands and protecting existing wetlands. Dallas also suggested Planning Commission Members take turns going to the Duck Lake Watershed meetings.

ADJOURNMENT

Motion by Commissioner Josephson, second from Commissioner Holman,
ADOPTED, to **ADJOURN**, the October 4, 2018 regular meeting at 7:45 p.m.
7AYES

Respectfully Submitted,

FRUITLAND TOWNSHIP PLANNING COMMISSION October 4, 2018 REGULAR MEETING MINUTES

Sally Dion, Recording Secretary
Township of Fruitland