

PLANNING COMMISSION
Minutes for Regular Meeting of
November 5, 2014

AMENDED

PRESENT Dave Roesler, Tom Thompson, Jan Deur, John Warner, William Josephson and Mark Dykhouse.

NOT PRESENT Leslie Sprott

ALSO PRESENT Zoning Administrator Sandel, Recording Secretary Dion and **0** interested parties.

CALL TO ORDER Chairperson Roesler called the November 5, 2014 meeting to order at 6:30 p.m. and led those in attendance in the Pledge of Allegiance.

AGENDA Motion by John Warner, second from Jan Deur, **ADOPTED**, to amend the November 5, 2014 meeting agenda under New BUSINESS 1. To change Article XIV to XV and move Old Business 2. Master Plan Review after Planning/Zoning Updates and accept as amended.

6 AYES, 1 ABSENT

MINUTES Motion by Jan Deur, second from William Josephson, **ADOPTED**, to accept the October 8, 2014 meeting minutes subject to Recording Secretary Dion listening to the recording of the meeting to see if Commissioner Deur made comment under Discussion on page 3 after Commissioner Thompson, if comment was made the minutes will be revised to show comment and if not the minutes will be accepted as written.

6 AYES, 1 ABSENT

PUBLIC COMMENT

None

NEW BUSINESS

- 1. Article XV Site Plan Review, Section 15.10 Appeal, set public hearing for language amendment.**

Consensus was to set public hearing for the language as written below:

~~SECTION 15.10 — APPEAL~~

~~If any person shall be aggrieved by the action of the Planning Commission, an appeal in writing to the Township Board may be taken within fifteen (15) days after the date of such action. The Township Board shall affirm or reverse the action of the Planning Commission, stating its findings and the reasons for its action and a written copy of such findings, reasons, and action shall be given to the appellant.~~

Commissioner Josephson stated the sub-committee of himself, Commissioners Warner, and Dykhouse will have language proposed for Article III, General Provisions, Section 3.31 Average Setback Lines ready for public hearing also.

Commissioner Deur stated seeing we were having a public hearing that we should also include the Wireless Telecommunications Ordinance language.

Motion by Tom Thompson second from William Josephson, **ADOPTED**, to set public hearing for the December 3 meeting for Article XV Site Plan Review, Section 15.10, Article III General Provisions, Section 3.31 Average Setback Lines and Wireless Telecommunications Ordinance language.

6 AYES, 1 ABSENT

OLD BUSINESS

1. Reports from Sub-Committees

- **Fences, walls, hedges, berms and screens language in Lakefront Districts (sub-committee is Chairperson Roesler, Commissioners Warner and Sprott)**

Commissioner Josephson is replacing Chairperson Roesler. The sub-committee will continue to work on proposed language.

- **Zoning for Sylvan Beach (sub-committee is Commissioners Sprott, Thompson, Warner and representative from Sylvan Beach)**

No Report

- **Lakeside Inn (Chairperson Roesler, Commissioners Deur and Warner)**

Chairperson Roesler read an email from Attorney Even regarding the need to really look at the current language regarding nonconforming structures and uses. The current language mostly covers nonconforming structures and says very little about nonconforming uses. Again this goes back to the Master Plan, what is the townships desire for the nonconforming resorts, do we want to ~~faze~~ phase them out when we can or do we want to allow them to continue no matter what.

Consensus of Commissioners is this would be a topic for a Town Hall Meeting to hold discussion and also get the public's input. Before holding the Town Hall Meeting we need to get background first on State laws, etc. and we will want to have options to suggest.

Consensus is Commissioners want to allow Lakeside Inn to continue and they will continue to work on the proper way to do this.

Recording Secretary Dion will research nonconforming use language from other Michigan Townships and send on to the subcommittee.

COMMISSIONERS COMMENTS

Commissioner Thompson handed out information from the White Lake Fire Authority showing that in 2007 Michillinda Beach Lodge had 17 units. He then asked if something was going on with Michillinda since the last Planning Commission meeting.

Chairperson Roesler advised that Rose & Rose have filed an appeal and a decision would be made at the December Zoning Board of Appeals meeting. Zoning Administrator Sandel advised we should also be receiving a request from Mr. Rook's attorney for the Zoning Board of Appeals to make a decision that removing the restaurant and bar and adding kitchens to the new buildings and some of the existing buildings would be a less nonconforming use.

Commissioner Deur stated that after talking to a few Supervisors from other townships he learned they charge higher fees for applications going before the Zoning Board of Appeals. He asked Clerk Rillema if the fees we charge are covering the costs. After checking she informed him that sometimes they do, but not in every instance. The fee schedule will be discussed by the Township Board after input from Attorney Even on the relevant state statutes.

PLANNING/ZONING UPDATES

Commissioner Warner asked the Planning Commissioners to please attend the December Zoning Board of Appeal meetings regarding the Michillinda Beach Lodge.

2. Master Plan Review

Chairperson Roesler referred to the Memorandum from Planner Tim Johnson that all Commissioners received tonight which list a few items that are required by the 2008 Michigan Planning Enabling Act, but which were not included in the Master Plan that was adopted in 2007 and then updated in 2010.

Commissioner Thompson stated he believes after Terrie Hampel spoke at the Master Plan Review meeting regarding the desire to have walk/bike paths in the township that we should invite the Parks and Recreation Commission to one of our Master Plan Review meetings for further discussion.

Zoning Administrator Sandel advised that according to the memorandum from Planner Tim Johnson in December 2010, the Act was further amended to require that local Master Plans also take into consideration the location, character, and extent of public transit routes and public transportation facilities. It just so happens that the (MATS) just extended its service to Whitehall, he has a brochure with the route which is information that can be added to the Master Plan.

Commissioner Deur stated that the Parks and Recreation Commission also has a Recreation Plan and that the walk/bike paths will be a part of that, however, we could mention it in the Master Plan also.

Consensus was to set up another meeting for January sometime and to invite Terrie Hampel to attend.

ADJOURNMENT

Motion by Mark Dykhouse, second from William Josephson, **ADOPTED**, to **ADJOURN** the November 5, 2014, regular meeting at 7:50 p.m.

6 AYES, 1 ABSENT

Respectfully Submitted,

Sally Dion, Recording Secretary