

**PLANNING COMMISSION**  
**Minutes for Regular Meeting of**  
**February 4, 2016**

**AMENDED**

**PRESENT** Dave Roesler, Tom Thompson, Leslie Sprott, Ina Ray, John Warner and Jan Deur.

**NOT PRESENT** William Josephson (excused).

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

**CALL TO ORDER** Chairperson Roesler called the February 4, 2016 meeting to order at 6:35 p.m. and led those in attendance in the Pledge of Allegiance.

**AGENDA** Motion by John Warner, second from Leslie Sprott, **ADOPTED**, to accept the agenda as written.

**6 AYES**  
**1ABSENT**  
**Josephson**

**MINUTES** Motion by Jan Deur, second from John Warner , **ADOPTED**, to accept the December 3, 2015 meeting minutes as written.

**6 AYES**  
**1ABSENT**  
**Josephson**

**PUBLIC COMMENT** - None

**PUBLIC HEARINGS**

- 1. Master Plan Amendment** - This proposed plan is intended to serve as a guide to the future development of Fruitland Township and contains recommendations about future land use, goals and policies, analysis of land use trends, demographic information, maps of natural features, and recommendations to implement the Plan.

**PUBLIC HEARING OPEN 6:37 p.m.**

**CORRESPONDENCE**

**Stephan Carlson, Senior Planner, West Michigan Shoreline Regional Development Commission** – Commends everyone for their leadership in maintaining a vision for the future development of the township and the continued support of the Muskegon Areawide Plan. He mentioned the county’s hazard mitigation plan and that he did not notice any mention of it. Because Fruitland Township has adopted this plan it is eligible to access certain types of hazard mitigation and flood mitigation funding. He feels it may be worthwhile to take a look at this.

Consensus is to add the following language to Page 31 ending on Page 32:

## HAZARD MITIGATION

On August 17, 2015, Fruitland Township adopted the Muskegon County Hazard Mitigation Plan. The Muskegon County Hazard Mitigation Plan was created to protect the health, safety, and economic interests of residents by reducing the impacts of natural and technological hazards through hazard mitigation planning, awareness, and implementation. Hazard mitigation is any action taken to permanently eliminate or reduce the long-term risk to human life and property from natural and technological hazards. It is an essential element of emergency management along with preparedness, response and recovery.

Hazard mitigation is a discipline that intersects with virtually every aspect of community planning, and the countywide plan contains a great deal of information. The Muskegon County Hazard Mitigation Plan can be viewed online at <http://wmsrdc.org/project/muskegon-county-hazard-mitigation-plan/>.

Adoption of this plan enables Fruitland Township to access certain types of hazard mitigation and flood mitigation funding if necessary.

**Dave Sheehy, Laketon Township Zoning Administrator** – States the plan covers all the topics the Master Plan needs and suggested a few minor grammatical changes.

Consensus is to revise Page 37 Goal – instead of saying “in light of the lack of” change it to “to the” and page 51 Industrial –  $\frac{3}{4}$  of the way down page, Fruitland Township “has not” real industrial base, change it to “does not have a” real industrial base.

**Jim Cordray, Blue Lake Township Planning Commission Chairman** – Noted they received the Draft Master Plan for review.

## PUBLIC HEARING CLOSED 6:47 p.m.

## DISCUSSION

Commissioner Deur stated there was previous discussion on making a few changes to the Future Land Use Map for two parcels owned by the township and one parcel owned by The Land Conservancy of West MI, also known as Anderson Woods.

Consensus was to make no changes to the Future Land Use map after hearing that Attorney Even stated there is no requirement that the township must follow their own zoning rules.

Motion by Jan Deur, second from John Warner, **ADOPTED**, to approve the five year plan subject to the changes made tonight.

**6 AYES**  
**1 ABSENT**  
**Josephson**

2. **Article III, General Provisions** - Section 3.11 Fences, Wall, Hedges, Berms and Screens (A.) **(amend)**.  
**Article XX, Administration and Enforcement** – Section 20.06 Zoning Permit Required (A.) **(amend)**.

**PUBLIC HEARING OPEN 7:12 p.m.**

**CORRESPONDENCE**

**Wendy Bohning, 5050 Nestrom Road** – opposes, does not want to be limited to what she can do on her acreage.

Consensus was to have Recording Secretary Dion respond to Ms. Bohning’s email letting her know this is an existing ordinance that is being amended and to attach the proposed language.

**PUBLIC HEARING CLOSED 7:15 p.m.**

**DISCUSSION**

The proposed changes are amending already existing language by adding that a zoning permit is required for fences, walls, hedges, berms and screens. It has always been required, however; many did not know that.

Commissioner Deur asked Zoning Administrator Jensen for his comment on this language. He explained the 4’ requirement from the road right of way to the 100’ front setback causes a hardship for those homes that were built closer to the road. He suggests maybe amending to read 4’ ***in height*** from road right of way to the back of the house.

Commissioner Warner stated he believes the existing language is fine as written with the proposed amendments and added that if the back of the house is closer than 100’ from the road right of way the applicant could request a variance and he believes the Zoning Board of Appeals would probably grant a variance to start at the back of the house if necessary.

Chairperson Roesler stated the purpose of the ordinances is not to kick things to the Zoning Board of Appeals.

After further discussion Commissioner Warner agreed it does make more sense to look further into this issue.

Consensus was because Commissioner Josephson was the Chair of this sub-committee and is absent and further amendment may be proposed this issue should be tabled for further discussion.

Motion by Jan Deur, second from Leslie Sprott, ***ADOPTED***, to ***TABLE***, for further review and discussion at the March meeting.

**6 AYES**  
**1 ABSENT**  
**Josephson**

**OLD BUSINESS**

1. Proposed language for Article VIIIa Inland Lakes District, Section 8.04a Uses Permitted by Special Land Use (G.) Historic resorts as regulated by Section 14.04 LL herein and Article XIV Special Land Uses, Section 14.04 Special Land Use Specific Requirements (LL.) Historical Resorts.

Chairperson Roesler will check with Attorney Even to see if anything else needs to be done; if not the public hearing can be set at next month's meeting for the April meeting.

## 2. Reports from Sub-Committees

- Definition of Dwelling, Dwelling Unit

No report

## PLANNING/ZONING UPDATES

Commissioner Warner advises that the Zoning Board of Appeals has not had to meet.

## COMMISSIONERS COMMENTS

Commissioner Deur advised that Trustee Val Rissi has moved from the area and resigned from the Board of Trustees. The Board of Trustees will be talking at the upcoming meeting about replacement until the end of Ms. Rissi's term which will be November 2016.

## ADJOURNMENT

Motion by Leslie Sprott, second from John Warner, **ADOPTED**, to **ADJOURN** the February 4, 2016 regular meeting at 8:10 p.m.

**6 AYES**  
**1 ABSENT**  
**Josephson**

Respectfully Submitted,

Sally Dion, Recording Secretary