

PLANNING COMMISSION
Minutes for Regular Meeting of
May 6, 2021

PRESENT Commissioners Dave Roesler, Mike Holman, John Warner, John Gloster, Ina Ray and William Josephson.

ALSO PRESENT Recording Secretary Sally Dion and **10** interested parties.

NOT PRESENT Maribeth Picard and Zoning Administrator Jensen.

CALL TO ORDER Chairperson Roesler called the May 6, 2021 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**, to accept the agenda as written.

6 AYES, 1 ABSENT

MINUTES Motion by Commissioner Warner, second from Commissioner Holman, **ADOPTED**, to accept the April 1, 2021, Meeting Minutes as written.

6 AYES, 1 ABSENT

PUBLIC COMMENT

1. Theresa Price, 3917 Scenic Drive, stated that 3905 Scenic Drive, is being advertised as a rental on two different websites, on one it states for up to fifty people. The previous weekend was the first time it was being rented, there was a large number of vehicles with 4-5 people in each. A pool/spa that fits fourteen to sixteen people was placed on the eroding bank.
2. Roger Sorokin, 3897 Scenic Drive, said 3905 Scenic Drive is currently booked for 62 of 92 days this summer. The owner stated he is creating parking lots on either side of his driveway. He stated he spoke with his Attorney who advised this is Commercial being operated in a residential district and that the Township has to do something about it.
3. Barbara Sorokin, 3897 Scenic Drive, said she is heartbroken, the property is beautiful, the driveway is one land and is private. She asked why the Township isn't doing something.

Chairperson Roesler explained the Township is not allowing this. This is the first the Planning Commission has heard about it. He stated this will be taken care of as soon as possible.

4. Diane Krasnewich, 3821 Scenic Drive, stated she agrees with previous speakers.
5. Mary Aten, 3407 Scenic Drive, this is her parents' house, she stated she has environmental concerns, she has heard they are placing a dock on Muskrat Lake.
6. Karen Erickson, 3825 Scenic Drive, stated 3805 is a lot in a residential district allowing only Single-Family Dwellings, stated in the past they were able to stop a parking lot for Scenic Woods to be put in next to them, so the Township should be able to stop this.
7. Jeff Marcinkowski, 3767 Jay Road, stated as Supervisor he knows that the Ordinance Enforcer has been out to the 3905 Scenic Drive location and that the Zoning Administrator is in contact with EGLE. He asked that the Planning Commission consider amending the Accessory Building Ordinance to allow more square footage, he believes it needs to be adjusted, he believes people have more things to store now and it would be better inside than out.

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8. Tim Price, 3917 Scenic Drive, stated that Laketon Township has ordinances to regulate this type of rentals, he believes the current Ordinances need to be updated, create definitions for pool, spa, etc.

Chairperson Roesler requested that Supervisor Marcinkowski have Attorney Even issue a cease-and-desist order for 3905 Scenic Drive as commercial rentals are not allowed in the township.

OLD BUSINESS

1. Master Plan Review/Update, Survey Results

Chairperson Roesler stated Secretary Dion has done updates to the Master Plan document and if the Commissioners would like a copy, they may request one. She will continue to search for updated Census information and get the document finished as soon as possible. He asked Commissioner Gloster if he could create pie charts for the survey results. Commissioner Gloster said he will work on this.

2. Barn Weddings/Special Events

Chairperson Roesler advised he did speak with Attorney Even, and he suggests a Large Gathering Ordinance that would be Regulatory, it would require permitting, yearly inspections for things being used as a business.

3. Stairs/platforms Sub-Committee

Commissioners Warner, Josephson and Gloster met. They advised that EGLE has good information, they encourage landings. They looked at other Township Ordinances and they do not limit stairs/platforms. They suggest the following amendment:

No structures or buildings shall be built or installed lakeward of the bluff line except for wooden stairs and platforms which provide beach access and comply with the requirements of Michigan Law and the Department of Environmental Quality (DEQ). ~~Total platform area may not exceed one hundred fifty (150) sq. ft. in surface area.~~ All such Items (including stairs and platforms) shall be approved by the Zoning Administrator.

Chairperson Roesler asked Secretary Dion to send this proposed language to Attorney Even for review.

NEW BUSINESS

Article III, General Provisions

Section 3.08 ACCESSORY BUILDINGS AND USES

- D. No part of a detached accessory building shall be used for independent living facilities for one or more persons. No accessory building shall include all the permanent provisions for living, sleeping, eating, cooking and bathroom facilities.

Article III, General Provision

Section 3.29 OUTDOOR STORAGE IN RESIDENTIAL DISTRICTS

The outdoor storage or parking of recreational vehicles or equipment, in all Residential Districts shall be subject to the following minimum conditions:

Commissioner Warner explained that Zoning Administrator had asked the Board of Zoning Appeals for interpretations of the language for Article III, Sections 3.08 and 3.29.

Chairperson Roesler stated he believes when the definition of Dwelling Units was updated it should have helped determining what is allowed in Accessory Buildings. The intent was to not allow Accessory Buildings to be used as a residence.

The question regarding the outdoor storage in residential districts is does it pertain to recreational vehicles and recreational equipment or any equipment, ie, farm, building, etc.?

Consensus is to leave on the Agenda for discussion with Zoning Administrator Jensen.

PLANNING/ZONING UPDATES

Commissioner Warner reports that Zoning Board of Appeals met, the variance request was to build an additional Accessory Building and keep the existing one that exceeds the minimum square footage of today's ordinance. The application as submitted was denied.

ADJOURNMENT

Motion by Commissioner Josephson, second from Commissioner Holman, **ADOPTED**, to **ADJOURN**, the May 6, 2021 regular meeting at 7:30 p.m.

6 AYES, 1 ABSENT

Respectfully Submitted,

Sally Dion, Recording Secretary
Township of Fruitland