

PLANNING COMMISSION
Minutes for Regular Meeting of
September 3, 2015

PRESENT Dave Roesler, Tom Thompson, Jan Deur, Ina Ray, John Warner, and William Josephson.

NOT PRESENT Leslie Sprott, excused.

ALSO PRESENT Zoning Administrator Jensen, Recording Secretary Dion and 3 interested parties.

CALL TO ORDER Chairperson Roesler called the September 3, 2015 meeting to order at 6:32 p.m. and led those in attendance in the Pledge of Allegiance.

AGENDA Motion by Jan Deur, second from John Warner, **ADOPTED**, to amend the agenda by moving MINUTES to the bottom and accept the agenda as amended.

6 AYES
1 ABSENT
Sprott

PUBLIC COMMENT - None

PUBLIC HEARING

1. Application from Parkland Acquisition Three LLC, Parcel number 61-06-013-100-0017-00 (5207 Scenic Drive), 61-06-013-100-0010-00 (5271 Scenic Drive), for Site Plan Review to request a temporary event tent from June 1 through September 30, 2016 and June 1 through September 30, 2017, to be located where approved for 2015.

PUBLIC HEARING OPEN 6:34 p.m.

Mr. Jon Rooks was here on behalf of Parkland Acquisition Three LLC. Mr. Rooks explained they received approval for the 2015 season for a temporary event tent from June 1 through September 30, 2015. At that meeting he asked if they could obtain approval for the 2016 and 2017 seasons also. They were advised they could not obtain such approval because it was not part of the request that was noticed at that time. He stated the noise from music has been easy to control with it now being within confines of a building. They would like to know if they could ask for the time to go from May 1 through September 30, 2016 & 2017 as they do get requests for the month of May also.

Commissioner Thompson asked if 2017 will be the last year for this temporary event tent. Mr. Rooks advised 2017 will be the last year they will be operating it; however, he could not answer for the new owner.

PUBLIC COMMENT

1. Dave Bossenbroek, 900 3rd Street, Muskegon, stated he is here on behalf of the Michillinda Beach Association and they have no objections to this request and that Mr. Rooks has been a

very good neighbor this past year. He thanked the Planning Commission for their involvement in this matter.

PUBLIC HEARING CLOSED 6:41p.m.

Most Commissioners do not believe it would be an issue to approve the temporary event tent from May 1 through September 30 instead of June 1 through September 30, however, Commissioner Josephson stated he wondered if that would create an issue for those noticed. Chairperson Roesler stated he did not believe that would be an issue when most in that area probably do not arrive until June anyway.

Motion by John Warner, second from Jan Deur, **ADOPTED**, to grant site plan amendment for the approval for a temporary event tent from May 1 through September 30, 2016 and 2017 to be located where approved in 2015.

6 AYES
1 ABSENT
Sprott

NEW BUSINESS

1. Request from Duke Yeager with Faulk & Foster on behalf of Verizon Wireless, for a 6 month extension for the Special Land Use Permit approved August 18, 2014, according to Article XIV SPECIAL LAND USES, Section 14.02 Application and Review Procedures (G.1.) for the proposed construction of a 195' monopole cell tower on vacant parcel number 61-06-118-400-0001-00, owned by Fruitland Township, located on Nestrom Road in the Low Density Residential zoning district.

Commissioner Deur gave brief update that the request for extension was received prior to the August 18 expiration date. Since the extension was requested and after this was placed on the agenda the building permit has also been issued, however, he believes it would be better to allow the extension in case there is ever a question about whether the Planning Commission approved it.

Motion by Jan Deur, second from John Warner, **ADOPTED**, to grant a 6 month extension for the Special Land Use Permit approved August 18, 2014, as requested.

6 AYES
1 ABSENT
Sprott

OLD BUSINESS

1. **Reports from Sub-Committees**
 - **Fences, walls, hedges, berms and screens language in Lakefront Districts (sub-committee is Commissioners Warner, Sprott and Josephson)**

Proposed language is on list of things ready for Public Hearing.

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

Recording Secretary Dion advised that before Zoning Administrator Sandel retired he met with Sylvan Beach Attorney Bill Sininger, Charlie Deupree and a few others from Sylvan Beach. She did not attend the meeting but will see if she can get an update and report next month.

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

Chairperson Roesler asked Commissioners to take time to review the proposed language from Planner Tim Johnson dated September 2, 2015, make notes for discussion and send any questions to him within 10 days and he will try and get answers when meeting with Planner Johnson and Attorney Even. He asked them to pay close attention to the proposed language; the Township Board has a lot of authority over this.

2. Master Plan Review

Commissioner Deur and Recording Secretary Dion met and after revising the document it was sent in packets for review by Commissioners. Commissioner Deur provided an open issues list dated September 3, 2015, with things that need discussion.

Consensus of Commissioners was to schedule a work session on Saturday, September 12, 2015 at 9:30 a.m. for the purpose of Master Plan discussion.

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

6 AYES
1 ABSENT
Sprott

COMMISSIONERS COMMENTS

Chairperson Roesler advised that Building Official Chris Hall has requested that the existing definition of Dwelling, or Dwelling Unit be amended. The following is how it reads:

Any building or portion thereof having cooking and housekeeping facilities, which is occupied wholly as the home, residence or sleeping place of one (1) family, either permanently or transiently. A motor home, trailer coach, garage, automobile chassis, tent, or portable building shall not be considered a dwelling. In case of mixed occupancy, where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit and shall comply with the applicable provisions of this Ordinance.

Building Official Hall would like to see the underlined words removed. He believe those words can be misconstrued and he is seeing Accessory Buildings being built like houses sometimes meaning there can be as many as three dwellings on one parcel.

Consensus of Commissioners is to have Zoning Administrator Jensen review language from other townships, speak with Building Official Hall and report back.

Commissioner Deur advised of County correspondence regarding a tax those who own short term (vacation) rentals are supposed to be paying. It requests we have information guiding those that have these to them. He recommended maybe putting something on our website under the Zoning Department section and to maybe have Secretary Thomasma include this in the e-news.

PLANNING/ZONING UPDATES

Commissioner Warner advised that the Zoning Board of Appeals will meet Monday, September 14, 2015, for one application.

ADJOURNMENT

Motion by William Josephson, second from Jan Deur, **ADOPTED**, to **ADJOURN** the September 3, 2015, regular meeting at 7:35 p.m.

6 AYES
1 ABSENT
Sprott

Respectfully Submitted,

Sally Dion, Recording Secretary