

**FRUITLAND TOWNSHIP
PLANNING COMMISSION
Minutes for Regular Meeting of
April 3, 2025**

PRESENT Commissioners John Warner, Chris Campeau, Lori Lundell and Mike Holman

NOT PRESENT Brian Butler, Nelson Huldin and Paul Josephson

Four out of seven members are present representing a quorum.

ALSO PRESENT Mike Baker Zoning Administrator, Anne Stewart Recording Secretary, and 3 interested parties.

CALL TO ORDER Commissioner Warner called the April 3, 2025 meeting to order at 6:00 p.m.

AGENDA Motion by Commissioner Holman, seconded by Commissioner Campeau, **ADOPTED**, to accept the agenda as written.

4 AYES

MINUTES Motion by Commissioner Holman, seconded by Commissioner Campeau, **ADOPTED**, to accept the March 6, 2025 Regular Meeting Minutes as written.

4 AYES

**NOMINATIONS FOR CHAIRPERSON
ELECTION OF CHAIRPERSON**

Commissioner Warner opened nominations for Chairperson. Motion by Commissioner Campeau, seconded by Commissioner Holman, **ADOPTED**, to nominate John Warner to be Chairperson. Commissioner Warner accepted the nomination.

Motion by Commissioner Campeau, seconded by Commissioner Holman, **ADOPTED**, to close the nominations for Chairperson.

4 AYES

Commissioner Warner stated all in favor of John Warner for Chairperson signify by stating Aye.

4 AYES

**NOMINATIONS FOR VICE CHAIRPERSON
ELECTION OF VICE CHAIRPERSON**

Nominations were opened for nominations for Vice Chairperson by Chairperson Warner. Motion by Commissioner Holman, seconded by Commissioner Lundell, **ADOPTED**, to nominate Commissioner Campeau as Vice Chairperson. Commissioner Campeau accepted the nomination.

Motion by Commissioner Holman, seconded by Commissioner Lundell, **ADOPTED**, to close nominations for Vice Chairperson.

4 AYES

Chairperson Warner stated all in favor of Commissioner Campeau for Vice Chairperson signify by stating Aye.

4 AYES

NOMINATIONS FOR SECRETARY ELECTION OF SECRETARY

Nominations were opened for nominations for Secretary. Motion by Commissioner Campeau, seconded by Commissioner Holman, **ADOPTED**, to nominate Commissioner Josephson as Secretary. Motion by Commissioner Holman, seconded by Commissioner Campeau, **ADOPTED**, to close the nominations for Secretary.

4 AYES

Chairperson Warner stated all in favor of Commissioner Josephson for Secretary signify by stating Aye.

4 AYES

PUBLIC COMMENT

Chairperson Warner opened the meeting to public comment. No one approached the podium.

NEW BUSINESS

1. **Pre-Preliminary Site Plan Review** according to **Article XV Site Plan Review**, for applicant, **Dennis Hughes, 5395 Scenic Dr., Whitehall, MI 49461** (in the old pickle barrel building) for a retail establishment according to **Article XI Neighborhood Commercial District, discussing use by right vs. use by special land use.**

Mr. Dennis Hughes and his daughter, Ms. Hannah Hughes were present to discuss what they would like to do with the property at 5395 Scenic Dr. through a pre-preliminary site plan review with the Planning Commission. Chairperson Warner stated that this discussion was to gather information for both owner and Commissioners to assure that any plans at this point would fall within the ordinances of the Township. There will be no decisions or official ruling tonight, only discussion of any questions or concerns the property owner has moving forward.

Chairperson Warner asked Mr. Hughes if there was anything new he would like to submit to the Planning Commission tonight. Mr. Hughes stated that currently he does not have anything to submit to the Commission and he is waiting for West Shore to get the finished drawings to him.

Commissioner Campeau discussed with Mr. Hughes the Health Department's role within the retail establishment plan. Mr. Hughes stated he is doing a well and septic evaluation. He stated that the site plan will address the parking lot. The bathroom building is being taken down.

Chairperson Warner stated Mr. Hughes will be put on agenda for Planning Commission for next month (May meeting). Mr. Hughes questioned if a special meeting would be possible if he received his site plans from West Shore soon. Chairperson Warner stated it could be possible as long as he met all the publication requirements for a special meeting.

Chairperson Warner stated Mr. Hughes currently only has permission to do what is permitted under Neighborhood Commercial Use by Right allows and would be through the Zoning Administrator.

OLD BUSINESS

1. Electric car charging stations

Township is requesting proposals for a Planning Consultant to work with us on the electric car charging stations and the Township five-year plan. We are looking to hold off addressing the electric car charging stations until the consultant is on board. We will keep this on the agenda as old business and when the consultant comes onboard, we will address it then.

2. Definition of a Basement

A proposal was passed around by Mike Baker regarding a basement and semi-basement and their definitions. Chairperson Warner discussed this with the Commission members regarding problems, if any, with this definition.

Motion by Commissioner Holman, seconded by Commissioner Lundell, to accept the definition of a basement and semi-basement as defined in the publication LABC.

Discussion:

Discussion on the word inhabited in semi-basement definition. Proposal was to change the word from inhabited to habitable.

Motion by Commissioner Holman, seconded by Commissioner Campeau, **ADOPTED**, to accept the definition of a basement and semi-basement as defined in the publication LABC and change the word inhabited to habitable, to read Basement – a storey or storeys of a building constructed partially or entirely below ground, and semi-basement – an habitable single storey with up to three walls constructed partially or entirely below ground, this being of particular relevance where structures are built on sloping sites. This can also apply when there are a number of subfloor voids/walls below ground level.

4 AYES

Chairperson Warner stated this needs to go in the Definition section of Basements Section 2.03. Chairperson Warner also stated this should be placed on the agenda for the next public hearing. He will bring back at next meeting and keep under old business until complete.

PLANNING/ZONING UPDATES

Last month (March) there were two cases at the ZBA meeting. First, was nonconforming structure on Lakewood Rd and owners wanted to rebuild front porch and place it closer to road and make more nonconforming and it was rejected. They are going to appeal to the Circuit Court.

Second was 5105 South Shore Drive, the owner wanted to extend an existing accessory building an additional 60 feet and if allowed it would encroach within the setback requirement. The ZBA stated there could be other options and it was rejected.

There are 2 upcoming requests in April. One is an empty lot and owners want to build a home which current plans show it would encroach into rear setback. The second is request is to build an accessory building in excess of what is allowed on property.

COMMISSIONERS COMMENTS

Chairperson Warner and Commissioner Holman stated welcome to Commissioner Lundell.

PUBLIC COMMENT

Carlet Mitenbuler, 4623 Nestrom Road stated that a habitable basement needs to have ingress and/or egress ability. Chairperson Warner stated yes it does and that is addressed in the building codes.

ADJOURNMENT

Motion by Commissioner Holman, seconded by Commissioner Campeau to adjourn the meeting at 6:38 p.m.

Respectfully Submitted,

Anne Stewart
Recording Secretary