

**FRUITLAND TOWNSHIP
PLANNING COMMISSION MEETING
January 8, 2026**

CALL TO ORDER

The meeting was called to order at 6:02 p.m.

PLEDGE OF ALLEGIANCE

PRESENT

Chairperson Warner, Commissioners Campeau, Josephson, Lundell and Butler.

ABSENT

Commissioners Holman and Huldin.

ALSO PRESENT

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

AGENDA

Motion Commissioner Josephson, seconded by Commissioner Campeau, to accept the agenda as written.

Zoning Administrator Baker requested that the business brought by Mr. White being addressed tonight be referred to as Lakewood Addition #8 that resides in Fruitland Township rather than listing each parcel.

Commissioner Josephson rescinded his original motion.

Motion by Commissioner Josephson, seconded by Commissioner Campeau, **ADOPTED**, to amend the agenda to reflect the parcels be addressed as Lakewood Addition #8 residing in Fruitland Township and correct the minutes section in the agenda to reflect December 4, 2025.

5 AYES

MINUTES

Motion by Commissioner Campeau, seconded by Commissioner Josephson, **ADOPTED**, to accept the December 4, 2025 minutes as written (correct on agenda).

5 AYES

PUBLIC COMMENT

1. Jeff Marcinkowski, 3744 Jay Rd., has two items to bring before the Board. First, a project permit that was approved by the Building Inspector, Van Jensen, for 6106 Murray Road. The plan shows the existing floor plan for a standard garage and a new floor plan that was approved. Residents in the township are looking at ordinances and asking construction, design, and architects to look at ordinances and see what they can do with garages and/or accessory buildings. Due to the ordinance

that is in place, it allows for all of the items listed in the new floor plan which now cannot be classified as a garage because it has no items in there that constitute a garage except for the square footage. This would now be an auxiliary dwelling. Currently the way the ordinance reads, residents are allowed to put these items into an accessory building and/or garage. You can see the proposed new floor plan has bed, bathroom, shower, kitchenette area and storage. It is an auxiliary dwelling unit. I am asking the Planning Commission to take a look at the existing ordinance that is in place and that allows for these items to exist and allows residents to put these things into an accessory building or garage. I would like to see Planning Commission look into this and see what can be done about it and maybe get some input from William & Works on this.

Second, in 2021 Mr. Marcinkowski came to the Planning Commission as Supervisor and requested the Planning Commission to look at the sizes of accessory buildings at that time. The reason for that was after driving through the Township at the time, more and more people were acquiring more accessories which were sitting outside due to inadequate space to house them. Also to clean up the Township. At the time the Planning Commission looked at that and came back with recommendations which were accepted. At the time, I made a comment that several of the square footages that were from the old version and converted to the new version were not proportional. There was a percentage rating of an increase on several of the parcel sizes. You gave preference on the smaller parcels on a percentage increase but does not seem to have followed through with that on all parcel sizes. The original reason was Planning Commission did not want to see large scale outbuildings turned into car workshops. Mr. Marcinkowski stated that reasoning is a regulatory issue. The Planning Commission should look at things that would be fair and equal across the Township. Mr. Marcinkowski does not feel it was proportionately correct across all parcels. He is asking that since the Master Plan is being reviewed, the Planning Commission look at the sizes again and allow the Township to take care of the regulatory portion of it and Planning Commission look at these parcels and the sizes of accessory buildings to be proportionately correct across the board for all of them.

Chairperson Warner stated that we can have the new consultant look at that again.

Commissioner Butler stated that the prior consultants thought there would be a problem with paid storage buildings. Chairperson Warner stated that Oceana County had problems with that issue done by farmers.

Motion by Commissioner Butler, seconded by Commissioner Campeau, **ADOPTED**, to suspend Roberts' Rules for discussion with Mr. Marcinkowski.

5 AYES

Commissioner Butler stated the Planning Commission can set the size but cannot actually govern future use and how would we take future use to be developed and applied as we develop zoning going forward. He asked what the Township has done to regulate future use when it comes to building size?

Mr. Marcinkowski stated he believed with multiple people at the table they could come up with some regulations for building permits. It could be something similar to when a building is requested and permitted and of a certain size (whatever is deemed permissible), that on that permit which is agreed to and signed off on, something be on permit that there could be an annual inspection, for example.

Commissioner Butler asked Mr. Marcinkowski that as Supervisor, if he would want the Planning Commission to go back to the changes previously made on the smaller parcels regarding percentages and apply these to the larger parcels going forward?

Mr. Marcinkowski stated if you have the percentage or average percentage that you had for all the smaller parcels that you agreed upon, and if you take whatever that average is and look at the other ones that did not meet that average it would be easy to address this subject. The Planning Commission could also apply a different approach. The percentage should be fair and equal across all parcels.

Motion by Commissioner Butler, seconded by Commissioner Campeau, **ADOPTED**, to return to Robert's Rules.

5 AYES

Chris VanOosterhout, 3418 Orshal, is here as private citizen. Stated he would like to see a proportional response to accessory buildings as it relates to size of the land. He agrees with Supervisor Marcinkowski to relook at the proportions regarding land size. He would like to see what the options are available for governing regarding data centers. He foresees lawsuits from other areas of the state that did not prepare for data centers. The people in the Township feel limited by the accessory structure ordinances, i.e. pool house, sheds and are being built under the radar and he would rather give a structure to the community that would allow for specific things without taking away from accessory building footage allowed.

Mr. White, 2283 Oak River Lane, Muskegon, MI 49445 stated he would agree with Supervisor Marcinkowski accessory building sizes.

Supervisor Marcinkowski, 3744 Jay, stated Blew Inc submitted a FOIA request regarding Michigan Adventure requesting several items. The impression seems that they are looking to get things in place to sell or to make people think they might sell. They were looking for any building or fire violations, changes to street, any outstanding or cancelled permits. The question that has come up is: what would happen if Michigan Adventure disappeared? The question is being brought up.

NEW BUSINESS

- 1. Mr. and Mrs. Mark White, 2283 Oak River Lane, Muskegon, MI 49445, requests a change to the zoning on parcels #61-06-408-001-0001-00, 61-06-408-002-0005-00, 61-06-408-0020001-00, 61-06-408-003-0001-00, 61-06-408-004-0009-00, 61-06-004-0001-00, 61-06-408-004-0047-00, 61-06-408-005-0001-00, 61-06-006-0001-00, 61-06-408-012-0001-00, 61-06-408-011-0001-00, 61-06-408-010-0001-00, 61-06-408-009-0001-00, 61-06-408-008-0001-00, 61-06-408007-0001-00. Whitehall Road, Whitehall, Mi 49461 to residential. The current zoning is MHP. The previous parcel was changed to HDR.**

Going forward this request will be referred to as Lakewood Addition #8.

Chairperson Warner stated that Mr. White is here to request that Lakewood Addition #8 zoning be changed from MHP to HDR. This was done with the previous parcel he purchased.

Mr. White submitted a proposal to the Planning Commission previously detailing both parcels and the reasons for zoning changes.

Motion by Commissioner Campeau, seconded by Commissioner Josephson, **ADOPTED**, open public hearing at 6:30 p.m.

5 AYES

Commissioner Butler questioned the two parcels not owned by Mr. White but that will be changed due to this request.

Mr. Baker stated that the two parcels are vacant and land locked currently.

Supervisor Marcinkowski, 3744 Jay, stated at time of zoning for those parcels was put in place it was Lakewood Addition #8, and Planning Commission applied MHP to that entire area. After much discussion on how to change the zoning, the idea of deplatting the entire subdivision would involve a great amount of time, court time, and money. So, applicant came to the Township to request a rezoning of this land.

Mr. White states that he spent time with the two deed companies and had them do a detailed search for any legal deeded access to the lots. He has emails confirming that they do not have access to their lots. No access but they pay taxes on these lots. They only have access to their lots if Mr. White grants them permission to do so. He stated he is looking at purchasing those lots in the future.

Carlet Mitenbuler, 4623 Nestrom Rd., she found the deed to this property, the property next door, and across the street on the hill before there was a bridge and a hill and it was sold in the late 1800's to Christian Hesity. All of it for \$250.00. She found it interesting.

Motion by Commissioner Butler, seconded by Commissioner Josephson, **ADOPTED**, to close the public hearing at 6:42 p.m.

5 AYES

Motion by Commissioner Josephson, seconded by Commission Campeau to grant Mr. White's request to change zoning for Lakewood Addition #8 in Fruitland Township from MHP to HDR.

5 AYES

OLD BUSINESS

Master Plan

Right now the survey questions for the residents of the Township have been decided. The Consultant is getting the postcards printed that will go to all residents of the Township. This should be going out sometime next week. Survey will be open for approximately 6 weeks.

Electric Car Charging Station

Language has been reviewed by the Attorney and changes passed out at December meeting.

Motion by Commissioner Campeau, seconded by Commissioner Lundell, **ADOPTED**, to set a public hearing for Electric Car Charging Station language to be the next public hearing at the Planning Commission.

5 AYES

Short Term Rentals

There will be a committee meeting, and they will bring information to the Planning Commission in February. Commissioner Lundell is on this committee.

PLANNING/ZONING UPDATES

Mr. Baker stated that there will be a variance request coming before the ZBA in February. They are requesting a variance for the side setback for a parcel.

COMMISSION COMMENTS

Commissioner Butler looks forward to Planning Commission coming up with information on accessory building issues. There are two parcels in the Township that people have asked him about to use as commercial horse boarding facilities and goes along with the accessory building topic, and he has provided some questions and studies to be provided to the attorney through you to be addressed and hope it can be addressed in the future in regard to regulatory options.

Commissioner Campeau questioned extensions of repair for buildings on Hill Road. He questioned the status.

Chairperson Warner stated he will bring up tonight's issues with the Consultant and will discuss it again at next month's meeting.

PUBLIC COMMENT

Supervisor Marcinkowski stated he will address the White Lake Cabins. A demolition permit was pulled to tear down the 3 buildings deemed to be destroyed. He will contact them to see if it was completed.

The number of short-term rentals seems to be increasing. The assessor that we have is very diligent in finding a lot of people that have additional buildings on the property that they are renting out on a short-term basis and are still claiming PRE's. The Treasurer and Deputy Treasurer are involved in this also. I feel that this will come to a peak as I am going to have the Assessor and Treasurer talk to the Township Attorney and send out letters to all the VRBO's or air BNBs listed online. They currently have a list of them. There will be calls and inquiries coming up with the residents of the Township shortly. He requested the Planning Commission address this subject as soon as possible.

Motion by Commissioner Butler, seconded by Commissioner Campeau, **ADOPTED**, to adjourn the meeting at 6:58 p.m.

Respectfully submitted,

Anne Stewart
Recording Secretary