

**Laketon Township Planning Commission
October 9, 2019 Regular Meeting Minutes**

CALL TO ORDER: Chairperson Don Nellis called the meeting to order at 6:01 pm.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

- Present: Paul Hoppa, Eric Anderson, Don Nellis, Dave Mieras, Cindy Zaagman and DJ Hilson
- Absent w/notice: June Earhart
- Also present: Zoning Administrator Theresa Maner, Twp Supervisor Kim Arter, Recording Secretary Veronica West and Applicant Jim Weatherbee

APPROVAL OF AGENDA: Eric Anderson moved to approve the agenda as presented. Dave Mieras supported the motion. The motion carried by voice vote.

APPROVA OF MINUTES:

- Eric Anderson moved to approve the minutes of the August 14, 2019 regular meeting as presented. Paul Hoppa supported the motion. The motion carried by voice vote.
- Cindy Zaagman moved to approve the minutes of the September 25, 2019 public hearing as presented. Dave Mieras supported the motion. The motion carried by voice vote.

PUBLIC COMMENTS on AGENDA ITEMS ONLY: **NONE**

CORRESPONDENCE

- September/October 2019 Planning & Zoning News: ZA Theresa Maner pointed out an interesting article on non-conformities and some interesting court cases and encouraged the members to read through them.
- MTA – training available on future land use, Master Plan and other topics at sessions in Frankenmuth November 19, 2019. Don Nellis noted that the state required 5 yr review of the Master Plan will be starting next year and he would like the ZA Theresa Maner to look into trying to find some training for the PC regarding this topic that could be done here at the Laketon Twp Hall.

UNFINISHED BUSINESS:

- Dana Spytma Daycare – Don Nellis asked ZA Theresa Maner if this daycare that received PC approval for a special land use was up and running. ZA Theresa Maner noted that the daycare is up and running and has the appropriate state license in place.
- W. Giles Rd – Bike lanes – Don Nellis noted that the construction of W. Giles Rd is complete and the new pavement has been painted – he asked if anyone was aware if Rob Taylor and his “231 Cycling Coalition” group had ever made contact with the MCRC regarding bike lanes, cross walks and other road painting symbols. The answer was unknown, but it was noted that only standard lines have been painted on the road at this time (no crosswalks/bike lane or sharrow symbols).
- Proposed Park & Rec Plan – ZA Theresa Maner reported that the proposed plan that was recommended by the PC to the Board of Trustees for adoption will be on the agenda for the Board’s October 17, 2019 meeting. She also noted that she and PC Chairperson Don Nellis will be attending the meeting and encouraged PC members to attend.
- Proposed Fenner Glen West – ZA Theresa Maner reported that the developers have updated drawings and have requested to be on the agenda for the December Planning Commission Meeting.

NEW BUSINESS:

- **Special Land Use Application:** J. Weatherbee for parcels 61-09-001-400-0079-00 and 61-09-001-400-0078-00 currently commonly known as 1515 Whitehall Rd and 1543 Whitehall Rd, respectively. ZA Theresa Maner began the discussion with a review of her staff report regarding the application and drawings for this requested special land use for a Commercial Warehouse facility. She noted the properties are currently zoned C-2 Service Commercial. She went through the 8 specific requirements for

Laketon Township Planning Commission October 9, 2019 Regular Meeting Minutes

Commercial Storage Warehouses from the Zoning Ordinance, noting there is a little discrepancy between the survey and what is listed in the assessing system with regard to the exact total area of the 2 parcels added together, but it is over the 2 acre minimum required. Eric Anderson noted determining the property size is important, and asked if the property is legal non-conforming because the frontage is under 200 feet which is a minimum frontage for the C2 district or if it must meet the minimum road frontage width of 200 feet. Eric Anderson also commented on the fence setback, noting that could be “tight” when trying to get things like large trailers off the road. Paul Hoppa commented on concerns with regard to drainage as proper drainage has historically been a big issue with any project in the township.

The floor was yielded to applicant Jim Weatherbee of 514 Ray St, North Muskegon, MI 49445. He stated he is interested in purchasing this property for a commercial storage facility and is seeking a special land use approval before completing the purchase. He added he will have a proper site plan and buildings designed after that and will get all the required approvals, including the Drain Commission. He talked about plans to slope the property properly so there won't be standing water in the driveways or going into the storage buildings. There was discussion regarding the rough drawings submitted, noting they are “conceptual” at this point and there could potentially be changes to the plan based on building designs and requirements from the various other entities; including the road commission, the drain commission and the fire department. There was discussion of a secondary entrance/exit, with Mr. Weatherbee noting he will keep it or get rid of it – whatever the approving authorities want. There was discussion questioning if the PC can move forward based on a conceptual drawing with Eric Anderson stating he feels they can move forward because whatever he does has to meet the ordinance and special land use requirements. Don Nellis expressed concerns regarding the applicant not owning the property at this time, with Jim Weatherbee noting he has earnest money down and a contingent offer in place. Don Nellis listed potential “hurdles”; applicant doesn't own the property, water/drainage issues - noting the Drain Commission typically needs substantial information to grant any approvals of the drainage plan, also noted a road commission storm drain that runs through this property needs to be addressed, the 2 parcels separately do not meet the minimum area for the requested special land use but combined they appear to, needing detailed plans showing neighboring properties & land uses, water/sewer hook ups to this property etc. Eric Anderson stated he feels the use is a good fit for the area but will need a final site plan before granting a special land use permit with the other appropriate approvals, especially the Drain Commission. He also commented on adjacent uses such as the non-conforming residential use to the north and possible conditions of screening may be needed there. He expressed some concern for the distance between the road and the fence/gate wondering if it is enough to get large/long trailers off Whitehall Road. Paul Hoppa brought up outdoor storage and making sure there is enough room at the end of each row between buildings for cars to turn around. Jim Weatherbee stated it's a possibility in the back of the property but he is completely ok if it's not used as outdoor storage. There was also discussion of fencing with it being noted the applicant plans to use the walls of the buildings as part of the fence to completely enclose the use. There was extensive discussion regarding drainage of this property and an existing storm drain that drains a neighborhood to the north and west of these parcels. Don Nellis noted that the potential is there to flood a neighborhood if it were blocked in some way and Eric Anderson noted the existence of this drainage “ditch” or “stream” could affect the layout of this proposed development and locations of buildings. ZA Theresa Maner commented that she struggled with this application because she did not want to make the applicant spend too much time and money on architect/engineered drawings and plans before the planning commission reviewed the application and could schedule a public hearing if the criteria spelled out in the ordinance couldn't be met. Don Nellis pointed out Section 17.02.A.3 states a “complete site plan as specified in Chapter 15” (chapter 15 is the site plan review chapter). There was discussion of the site plan requirements, noting there is a lot required and Eric Anderson interjected that perhaps changes need to be made to allow a conceptual plan at this first step. Paul Hoppa commented that the location appears to be a good fit for this type of use and Don Nellis agreed, but noted there are still too many unanswered questions to schedule a public hearing.

No Action Taken.

- **Reschedule November 2019 PC Meeting:** Discussed the need to reschedule the regularly scheduled meeting, which would be on November 13, 2019 due to the Zoning Administrator being unavailable that date. Discussed alternate dates and member availability. Cindy Zaagman moved to change the date of the regular November PC meeting to Wednesday November 20, 2019 at 6:00 pm. Paul Hoppa supported the motion. The motion carried by voice vote.

PUBLIC COMMENTS: **NONE**

BOARD REPORTS:

**Laketon Township Planning Commission
October 9, 2019 Regular Meeting Minutes**

- Board of Trustees: Cindy Zaagman reported that Phase 1 of the playground project on the Lange Complex side of Mullally Park was installed with volunteer labor from a variety of community members, staff and elected officials as directed by two professional installers from the playground equipment company. Phase 2 is in the planning process and grants are being sought. She also noted interviews are in progress for a part time administrative assistant in the township office.
- ZBA: No activity to report.

ADJOURNMENT:

- Dave Mieras moved to adjourn the meeting. Paul Hoppa supported the motion. The motion carried by voice vote at 7:17 pm.

Respectfully Submitted:

Veronica West
Recording Secretary