

Laketon Township Planning Commission
July 14, 2021 Regular Meeting Minutes – APPROVED 08/13/2021

CALL TO ORDER: Chairperson Bob Marine called the meeting to order at 6:00 pm

PLEDGE OF ALLEGIANCE:

ROLL CALL:

- Present: June Earhart, Paul Hoppa, Bob Marine, Suzanne Lockwood- Hayes, DJ Hilson, Eric Anderson and Dave Mieras
- Absent:
- Also present: Zoning Administrator Theresa Naruszkiewicz-Maner, Recording Secretary Veronica West and a couple of area citizens.

APPROVAL OF MINUTES: DJ Hilson moved to approve the minutes of 04/14/2021 as presented. June Earhart supported the motion. A roll call vote was taken. Voting in favor of the motion: Suzanne Lockwood-Hayes, Eric Anderson, June Earhart, Paul Hoppa, Bob Marine and DJ Hilson. Voting in opposition of the motion: None. Motion Carried.

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

CORRESPONDENCE

- Planning & Zoning News: ZA Theresa Naruszkiewicz-Maner distributed more issues that came in during the COVID-19 months while meetings were occurring over Zoom. For informational purposes only – no discussion.
- Park & Rec Info: ZA Theresa Naruszkiewicz-Maner shared information from Fruitport Twp about how they are contacting and involving the public for a park and rec survey – using Survey Monkey online, sending a survey with tax bills, distributing them in office and having a QR code on the printed materials so that people can access the online survey quickly and easily with their mobile smartphone. Just something to remember and consider for future use here.
- Administrative Assistant Position: ZA Theresa Naruszkiewicz-Maner reported on the hiring of a part-time admin assistant at the Township Hall. Tammy Stephenson was hired and has been a great new asset so far for the Township.
- Permits: ZA Theresa Naruszkiewicz-Maner reported on the number of permits she has worked on with zoning issues so far this calendar year – including new houses, additions, decks, garages and accessory buildings, pools, fences etc. Eric Anderson asked if this could be a monthly report so that the PC can be kept informed. She responded that it can and will for future meetings.

UNFINISHED BUSINESS:

- **Wesco – Update:** ZA Theresa Naruszkiewicz-Maner reported on the status of the large commercial project (site plan) that was approved by the PC several months ago. She discussed the list of required permits from other entities – see exhibit A, an email from the project manager at Tridonn construction, attached. She also added that she will be doing weekly site visits and taking photos for the file. She also talked about some work that she did not feel was included on the site plan – replacement of all the gas pumps, bollards and underground fuel supply lines from the underground tanks to the pumps. There was discussion of this subject:
 - Eric Anderson asked if there was harm in replacing those items. ZA said no, but perhaps if these items had been included in the site plan the PC may have considered asking Wesco to also move the canopy to meet the 100-foot setback – as it is currently non-conforming with that distance and could have perhaps been made safer by being moved further back from Whitehall Road.
 - Bob Marine commented that the footings for the canopy were not disturbed, it was just replacement of existing gas pumps and supply lines and feels ok with what they did.
 - Suzanne Lockwood-Hayes asked about enforcement of PC approvals on site plans and projects like this. There was discussion on this topic and it falls to the Zoning Administrator to make sure the site plans are followed as the building, mechanical, plumbing and electrical inspectors are only to make sure the appropriate codes are followed. Suzanne also wondered about sending a letter to the engineer or

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architect on this project to address this issue – ZA Theresa Naruszkiewicz-Maner has already been in contact with them on this.

June Earhart and Eric Anderson also commented that while it may have been left off the plan for various reasons, it may also have been that once construction started something was discovered to be in bad shape that needed replacing that wasn't originally planned to be replaced. Eric Anderson also commented that a stop work order would be completely appropriate if all approval conditions are not met and required permits are not issued.

This was a status update – discussion only – no decisions made.

- **Master Plan (Review):** ZA Theresa Naruszkiewicz-Maner noted everyone had been provided with a copy of the draft master plan, which has been updated and edited based on the direction of this PC at the last meeting held on April 14, 2021. The review of this edited document included going page by page with typographical errors, including spelling, grammar and punctuation being noted for corrections. Also discussed a few other corrections; updated names of other organizations and entities, such as the winter sports complex and the Michigan Dept. of Environmental Quality; removal of references to the township voting precincts (of which there are now only 3 precincts, not 4), removal of references to non-existent sewer line maps and muck farms that no longer exist and corrections to the street and subdivision names in the sewer extension section. Suzanne Lockwood-Hayes also pointed out the Natural Features Map doesn't clearly define the Laketon Township boundaries and the map has portions of adjacent communities on it – it can be confusing to anyone not familiar with the boundaries. It was suggested to have the Township boundaries either bolded with a wide line or a more contrasting color line to show them better. There was discussion of the census figures being old and the new 2020 figures are not yet available and will not likely be available until too late to include in this review and update. There was also discussion of including updated building permit (new houses) information as growth has slowed considerably since the last information that was included in this document. ZA Theresa Naruszkiewicz-Maner noted these corrections and edits will be incorporated. She also discussed the next steps in the process, sending the final draft document out the neighboring municipalities, holding the required public hearing, the PC recommending adoption to the Board of Trustees and then the Board of Trustees approval/adoption of the document. ZA Theresa Naruszkiewicz-Maner recommended holding the public hearing at 6:10 pm on September 8th, 2021 which is also the regular monthly meeting date. June Earhart moved to approve holding the public hearing on 9/8/2021 at 6:10 pm. Paul Hoppa supported the motion. A roll call vote was taken. Voting in favor of the motion: DJ Hilson, Eric Anderson, Suzanne Lockwood-Hayes, Paul Hoppa, June Earhart, Dave Mieras and Bob Marine. Voting in opposition of the motion: None. Motion Carried.

NEW BUSINESS:

- **August 2021 – Special Land Use Application** – ZA Theresa Naruszkiewicz-Maner reported on being contacted by Mrs. Kelly Toebe about applying for a Special Land Use Permit for a Group Daycare. She briefly reminded the board that Mrs. Toebe had been in a few years ago wanting to have a group daycare but was not able to have it approved as the ordinance requires a minimum distance between group daycare facilities and there was another one already in existence within that distance. That other daycare is now gone and Mrs. Toebe intends to file her application for approval of a Special Land Use Permit for a group daycare in her home. The special land use permit application process requires a public hearing to be held. A potential date for the public hearing was discussed if the application is received. DJ Hilson moved to schedule a public hearing for this potential SLU application at 6:10 pm on August 11, 2021. Dave Mieras supported the motion. A roll call vote was taken. Voting in favor of the motion: Suzanne Lockwood-Hayes, Dave Mieras, June Earhart, Eric Anderson, Paul Hoppa, DJ Hilson and Bob Marine. Voting in opposition of the motion: None. Motion Carried.

PUBLIC COMMENTS:

- **Ed Kendall of 913 E Wedgewood Dr** – Mr. Kendall expressed distress and upset with the current ordinance regarding outdoor storage of recreational vehicles. He stated he lives in a subdivision with lots that are 100 feet wide and has a neighbor that parks a large motorhome beside the garage, which is right next to his bedroom window. He stated his house is 8 feet from the property line and the motorhome next door is only about 5 feet from the property line, leaving only 13 feet between his house and this motorhome. He feels it is an eyesore and RVs like this don't belong in a subdivision. He asked that the PC consider changing the ordinance rules. Eric Anderson noted that while he understands the concerns, the rules currently allow for parking of all recreational vehicles outdoors, so long as they are behind the front line of the house – which this one appears to be. There were questions about setbacks – noting buildings have setbacks from property lines, do vehicles? Bob Marine noted there could potentially be a

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safety issue if these vehicles leak fuel. Eric Anderson noted it would be worth considering a setback, but that could create an uproar with people that feel differently than Mr. Kendall on this subject. He also noted that any changes to the rules would require an ordinance amendment. ZA Theresa Naruszkiewicz-Maner stated she will gather all the information on this subject and put in on the agenda next month for the PC to discuss and consider any potential changes to the ordinance.

- **Rich Young of 2643 Duck Lake Rd** - Mr. Young expressed great frustration over property he owns at the southwest corner of Witham and Dykstra Roads. He stated he has been working on a project at this property, which was a house at one time but is currently zoned commercial, for over 6 years. He feels no one has helped him and he has poured time, energy and money into this project and has gotten nowhere. He expressed frustration with Brenda Moore (the Muskegon County Drain Commissioner) and the township. He feels he has a hardship due to the commercial zoning that the township can help him with but won't. Eric Anderson asked Mr. Young if the property was zoned commercial when he bought it – and Mr. Young replied that it was. Eric Anderson commented the project Mr. Young presented for this property some time ago was granted a special land use approval by this Planning Commission with conditions, one being that he also obtain approval from the Muskegon County Drain Commissioner (MCDC) for stormwater drainage. It was also noted that special land use approvals are good for one year and expire after one year if no work is started. Eric Anderson also reminded Mr. Young that neither the Planning Commission nor Laketon Township controls the MCDC. Mr. Young continued to express frustration with the MCDC, Brenda Moore and the Township and frustration that he has torn down the garage, the deck and torn out the driveway and has to mow and pay taxes on property he hasn't been able to do anything with. Mr. Young continued to state he is a hardship case and should get an exemption. Mr. Young stated he has also talked to the building inspector Chris Hall who suggested he get rezoned back to residential and just make it a house again, rather than a business. Eric Anderson asked Mr. Young if he wants to rezone it residential. Mr. Young said no, he wanted to create an office building with 20 parking spaces but will not deal with Brenda Moore anymore. Eric Anderson stated he is not aware of any hardship exemptions for items like this and felt this board and the township had done what they could for Mr. Young on this project. Bob Marine, Suzanne Lockwood-Hayes and June Earhart commented this board needs more information as this project and special land use approval happened before they were on this PC and suggested they need information from the MCDC on this project as well. ZA Theresa Naruszkiewicz-Maner was directed to gather all the information on this project and put this item on the agenda for the next PC meeting as a discussion item.

BOARD REPORTS:

- Board of Trustees: Eric Anderson reported the Board of Trustees had their first in person work session on Monday. The Board is discussing the most recent COVID legislation (American Recovery Plan) and the potential funding of \$800,000 that has been publicized in the news. He added that the funding is not guaranteed and the rules and regulations on this funding and what it can potentially be spent on. He stated he is not in favor of just taking money and finding ways to spend it, but Supervisor Kim Arter is researching on it to see if there is anything Laketon Township qualifies for and what can be done with it under the law.
- ZBA: Suzanne Lockwood-Hayes stated there has been no ZBA activity to report on.

ADJOURNMENT:

- Dave Mieras moved to adjourn the meeting. Paul Hoppa supported the motion. The motion carried and the meeting adjourned at 7:20 pm.

Respectfully Submitted:

Veronica West
Recording Secretary