



1 **PLANNING COMMISSION MINUTES – April 12, 2022**

2
3 **CALL TO ORDER/ROLL CALL**

4
5 Chair Corfman called the Planning Commission meeting to order at 5:00 p.m. and
6 Secretary Loeks called the roll. The following Commissioners were present: Chair
7 Corfman, Vice Chair Davis, Secretary Loeks, Treasurer Roberts, Mrs. Buckham, Mr.
8 Eavey, and Mr. Matson. No Commissioners were absent. Also present was Interim
9 Planner/Zoning Administrator Julie Johnston and Planning/Zoning Assistant Jennie
10 Miller.

11
12 **CITIZEN COMMENT ON NON-AGENDA ITEMS**

13
14 Chair Corfman asked if there were any citizens interested in speaking on non-agenda
15 items. There were no citizens in the audience or on Zoom.

16
17 **SET AGENDA**

18
19 Chair Corfman reviewed the agenda and asked if there were any additions or corrections.

20
21 **Motioned by Secretary Loeks, seconded by Vice Chair Davis, to accept the agenda**
22 **as written. The motion carried unanimously.**

23
24 **MINUTES – March 22, 2022, Meeting**

25
26 Chair Corfman asked if there were any changes or corrections to the minutes.

27
28 **Motioned by Mrs. Buckham, seconded by Mr. Matson, to approve the March 22,**
29 **2022, minutes as written. The motion carried unanimously.**

30
31 Chair Corfman moved on to the next agenda item.

32
33 **NEW BUSINESS**

34
35 **A. Ordinary Water Elevation Updates**

36
37 Planner Johnston indicated the Township Engineer requested some updates to the
38 ordinary water elevation requirements in the Zoning Ordinance. The benchmarks to help
39 locate the elevations at Paw Paw Lake and Eagle Lake need to be revised due to onsite
40 changes that have occurred over time. The brass caps are in the same locations, they
41 were just re-witnessed to new physical structures in the area.

42 Treasurer Roberts confirmed that the elevations required for setbacks have not changed,
43 only the physical items needed to locate the setbacks were updated.

44
45 Chair Corfman stated that most surveyors would utilize the latitude and longitude provided
46 in the Ordinance.

47
48 Secretary Loeks stated he thinks the address in the Paw Paw Lake benchmark
49 explanation is wrong. Instead, the address of the white house (not the tan house) that is
50 adjacent to the 36-inch oak should be added to the explanation.

51
52 Mrs. Buckham asked if these ordinance changes were just for review. Planner Johnston
53 stated the changes are needed but a public hearing could wait until we have other
54 ordinances for review.

55
56 Chair Corfman agreed that the public hearing could wait because the brass caps are still
57 in the same locations.

58
59 Vice Chair Davis wondered if it made sense to put a photo or google map with a pin drop
60 in the ordinance.

61
62 Planner Johnston suggested having the pictures taken then bring them back to the
63 Planning Commission to see if it is worthwhile. A picture could be helpful to a property
64 owner trying to find the brass caps or elevation, but a surveyor should not need them.

65
66 **B. Riparian (Waterfront) Ordinance**

67
68 Planner Johnston stated that before the development of the draft waterfront/riparian
69 ordinance, she thought it would be helpful to review a few questions with the Planning
70 Commission. These questions will help assist in the creation of an ordinance that meets
71 the Township's needs.

72
73 After discussion, the Planning Commission provided the following responses to the list of
74 questions:

- 75
76 1. Is the intent to manage all waterfront properties, including ponds, wetlands, etc.? Or
77 just manage the properties around specific lakes?

78
79 The intent is to include all waterfront properties and provide some regulations to
80 protect all types of riparian areas.

- 81
82 2. If it is just to manage lake properties, do we want a distinct zoning district like R-2, or
83 retain the current R-2 District designation and create an overlay zone?

84
85 The desire is for a distinct zoning district, not an overlay zone. Planner Johnston
86 indicated this would require rezoning properties.

87

- 88 3. If it is to manage all waterfront properties, then the ordinance should continue to be a
89 site standard under Article 5 and apply to any property that is on a lake, pond, stream,
90 or wetland?
91
92 The hope is that environmental protection ordinances would be included in the new
93 zoning district and not have to be a separate ordinance in Article 5, which are the Site
94 Development standards.
95
- 96 4. Do we want to include any environmental protection standards? Removal of trees,
97 removal of vegetation at the shoreline, filling, grading, shoreland buffer protection.
98
99 Yes, particularly for undeveloped sites.
100
- 101 5. Should there be an allowance for temporary structures less than 200 feet at the lake.
102 Or, small storage box?
103
104 Possibly consider small accessory structures with a specific setback requirement from
105 the ordinary water elevation. Discussion was potentially 200 square feet or less with
106 low height allowances at 30 feet from the ordinary water elevation.
107
- 108 6. Do we want to include a requirement for survey of ordinary water elevation for every
109 building permit submitted?
110
111 Yes, a survey should be required.
112
- 113 7. Where should pools be allowed? In the riparian yard? If so, does it have to meet the
114 60-foot setback? How do we handle the allowance for averaging?
115
116 Pools should be allowed in the riparian yard and averaging setbacks could be
117 permitted, if the pool does not get closer to the water than a specific setback,
118 potentially 30 feet.
119
- 120 8. Should the ordinance allow for more or less lot coverage then the R-2 District?
121
122 The existing 22 percent for principal buildings on smaller lots seems to work.
123
- 124 9. Do we want to reconsider allowing accessory buildings across the road from primary
125 structures?
126
127 Accessory structures across the street from primary homes could be reviewed.
128 Possibly they could be allowed on unbuildable lots if both lots are owned by the same
129 property owner and a primary home is established.
130
- 131 10. Should frontage requirements be measured lake side or roadside?
132

133 Lot frontage should be measured from the lakeside, but a minimum amount of frontage
134 should still be required on the roadside, possibly 20 feet.

135
136 11. Should there be an allowance for permanent accessory structures on the lake side,
137 like gazebos? Allowed if they are outside the 60-foot setback?

138
139 Yes, but no walled structures between the house and the lake.

140
141 12. Should uncovered decks be allowed to encroach in the setback? Or only patios?

142
143 Anything less than 18 inches, regardless of material, should be allowed to encroach.
144 However, no handrails would be permitted.

145
146 13. Are stairs down to the water, if needed, exempt from accessory structure limitations?

147
148 Stairs should be exempt but should include the requirement of 18 inches above the
149 ground.

150
151 14. Are we planning to regulate bulk heads and sea walls?

152
153 Planner Johnston will research the requirements from the Department of Environment,
154 Great Lakes, and Energy.

155
156 15. Some communities have a clear vision triangle at the lake where nothing is permitted.
157 Is this something to consider? This would mean the removal of fences.

158
159 No clear corner restrictions, but landscaping may need to be limited in this area.
160 Landscaping can grow taller than the current requirement of four feet for fences, which
161 may block views.

162
163 16. If we continue to use ordinary water elevation, what do we do if the elevation is up on
164 the land instead of in the water?

165
166 May need to consider language in the ordinance to address this, or potentially send
167 these lots to the Zoning Board of Appeals.

168
169 17. Is the riparian side the front yard?

170
171 Yes, the riparian side should be the front yard.

172
173 Treasurer Roberts brought up a couple other items that should be addressed in the
174 ordinance and they include funneling or keyholing and nonrecreational burning around
175 the lakes.

176
177 Chair Corfman thought burning was already prohibited by ordinance.

178

179 Hearing no further discussion, Chair Corfman moved on to Old Business.

180

181 **OLD BUSINESS**

182

183 **A. Corners Business District (CBD)**

184

185 Planner Johnston indicated the draft Corners Business District ordinance was updated
186 based on the changes requested at the March public hearing. Chair Corfman then asked
187 for Commission discussion.

188

189 After Planning Commission discussion, the following changes were made:

190

191 1. The height of buildings with the buffer zone will be changed to “maximum height of the
192 tallest eave” instead of at the lowest eave.

193

194 2. Parking shall be eliminated in any front yard.

195

196 3. Building placement on secondary and private roads shall have a five-foot build-to line
197 and a maximum 20-foot setback, meaning no building shall be closer than five feet to
198 the road right-of-way, but cannot be farther back than 20 feet. This will allow for
199 outdoor eating opportunities.

200

201 4. Subsection E. should remove the term “buffer” because it is confusing with required
202 landscape buffers.

203

204 5. Storm water detention ponds that are not intended to retain water may be counted as
205 50 percent of the required open space if designed in a natural or free-form shape and
206 are part of the overall “improved and maintained” landscape design for the
207 development. We do not want unmaintained stormwater areas.

208

209 6. The language related to recommendations outlined in subsection G.iii of the Design
210 Review Committee section should be moved to subsection G.v., which outlines the
211 requirements around the recommendations.

212

213 7. Add “or a change to the exterior façade” to subsection I.vii, which allows an exemption
214 for a change of use if there is no increase in parking.

215

216 At the conclusion of the discussion, Planner Johnston asked the Commission if they
217 would like to review the draft ordinance one more time before sending it to the Township
218 Board. Chair Corfman thought the ordinance was ready to move forward.

219

220 **Motioned by Secretary Loeks, seconded by Vice Chair Davis, to send the draft**
221 **Corners Business District ordinance to the Township Board for approval with the**
222 **noted changes. The motion carried unanimously.**

223

224 Chair Corfman moved on to Commissioner Comments.

225 **COMMISSIONER COMMENTS**

226
227 Chair Corfman will not be able to attend the April 26th, May 10th, and the May 24th
228 meetings. Vice Chair Davis is not able to attend the April 26th meeting. Secretary Loeks
229 will act as chair at the April 26th meeting. Mr. Eavey indicated he may have an issue with
230 the April 26th meeting but hopes to attend. Planner Johnston stated a public hearing is
231 scheduled for the April 26th meeting so we will need a minimum quorum of four Planning
232 Commission members.

233
234 Treasurer Roberts informed the Commission that at the direction of the County Road
235 Commission, the roads on Treasure Island will be renamed. The Road Commission will
236 also be sending out notices regarding illegal mailboxes that will have to be removed in
237 the Inverness plat.

238
239 Treasurer Roberts recommended the Township undertake the creation of a solar
240 ordinance. MSU is offering a Solar Energy zoom webinar on May 12th that he encouraged
241 other Commissioners to take. There is no cost for this event. Jennie Miller,
242 Planning/Zoning Assistant will help any Commissioners sign up for the event.

243
244 Secretary Loeks also informed the Commission that the Michigan Association of Planning
245 is hosting their spring institute on May 18th, which is the in-person program and June 15th
246 is the virtual event.

247
248 Mrs. Buckham indicated that if the Township considers a solar ordinance, it will be
249 important to have regulations on removal if they are abandoned. Her daughter is an
250 agronomist and has said North Carolina is littered with abandoned solar farms.

251
252 Hearing no further Commissioner comments, Chair Corfman moved on to citizen
253 comments.

254
255 **CITIZEN COMMENTS**

256
257 Chair Corfman asked if there were any citizens interested in speaking. There were none
258 so he asked for a motion to adjourn.

259
260 **ADJOURN**

261
262 **Motioned by Mr. Matson, seconded by Secretary Loeks, to adjourn the meeting.**
263 **The motion carried unanimously.**

264
265 The meeting adjourned at 8:00 p.m.

266
267 Submitted:

Approved:

268