

Approved 4/17/2019

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| <p style="text-align: center;"><b>REGULAR MEETING OF CASCO TOWNSHIP PLANNING COMMISSION</b><br/><b>March 20, 2019; 7 PM</b></p> |
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**Members Present:** Chairman David Campbell, Vice Chair Dian Liepe, Secretary Lewis Adamson, Board Representative Judy Graff, ZBA Representative Dave Hughes and PC members Greg Knisley, and Dan Fleming

**Absent:** None

**Staff Present:** Janet Chambers, Recording Secretary, Zoning Administrator Tanya Smalley and Supervisor Allan Overhiser

**Also Present:** 2 interested citizens (Sign in Sheet Attachment #1)

1. **Call to order:** The meeting was called to order by Chairman Campbell at 7:00 PM.
2. **Review/Approval of Agenda:** The agenda (Attachment #2) was reviewed. There was a motion by Liepe, supported by Knisley to approve the agenda. All in favor. MSC.
3. **Interested Citizens in the audience will be heard on items NOT on the Agenda & Public Correspondence received:** There was none.
4. **Approval of minutes:**
  - a. **02/06/2019 Regular Meeting:** A motion by Fleming, supported by Hughes to approve minutes of Feb 6, 2019. Chairman Campbell asked for a correction to the last paragraph on page 1 as follows: ***Barkley said he misspoke when referring to the noise ordinance as regulatory zoning.*** Also, on page 2, second paragraph as follows: ***Barkley asked that the PC please not discard this just because he referred to it as “regulatory” “zoning”.*** All in favor. Minutes approved with corrections.
  - b. **02/27/2019 Public Hearings (Marijuana, Height 2-1/2 stories, Exterior Lighting):** A motion was made by Fleming, supported by Knisley to approve minutes of 2/27/19. Minutes approved as printed.

Knisley added a comment concerning the minutes. Minutes were sent out twice after the last meeting. The 2<sup>nd</sup> copy was with an added attachment. When he printed the second copy, it threw off all of the page layout and he had to print all 15 pages again, not just the two affected pages.

5. **Calendar review:**
  - a. **April Site Plan Special Meeting request:** Zoning Administrator Smalley said she has an application from Irene Wood for a wedding venue at her home.

Wood is the same applicant that has a SLU public meeting for a campground on March 27<sup>th</sup>.

Discussion ensued about a possible date for the Special Event Venue. The next available date on calendar for a public hearing was May 22<sup>nd</sup>. The PC had agreed not to hold public hearings at a regular monthly meeting. Smalley was under the impression that SLU requests would be heard on the 3<sup>rd</sup> Wednesdays of each month provided she had the information to Commissioners one month prior.

Adamson said as a PC, they decided they would no longer respond immediately to requests. The calendar was made with specific dates for public hearings and applicants would be told when the next available date would be rather than the PC changing their schedule.

Graff said part of the reason for making that decision was just because someone has a request the PC should not have to drop everything and answer to a request.

Smalley said, if she has the information to the PC a month before a meeting, the PC should have that hearing.

Campbell said this is a new calendar approach that has just started. Campbell said he is aware that the applicants have been speaking to Ellingsen about this for some time. It had not been a formal application, but they have been in discussion with Ellingsen. Campbell said he was in favor of going ahead with this request on April 17<sup>th</sup>, but in the future, Smalley should be aware of the PC's feelings on this. Smalley should let applicants know from the time they come in, that it is not going to be done in 3 weeks.

Liepe said the other thing in this particular case, was on the 24<sup>th</sup> of April, both the Chair and Vice Chair will be absent.

Chairman Campbell asked Smalley if either the Chair or Vice Chair must to be present at a public hearing.

Smalley said as long as there is a quorum the meeting could go on without the Chair and Vice Chair.

Smalley asked why a public hearing could not be the same day as a regular meeting. She pointed out there is not much on this meeting's agenda. She questioned why there could not be a public hearing when there is not really anything on the agenda.

Chairman Campbell said there has been enough time used on this topic and said this time the PC will have the meeting on April 17<sup>th</sup> at 6:00 followed by the regular monthly meeting. He said Smalley now knows the PC's feelings on the subject. Going forward it would be the exception to have a public hearing on a regular meeting date. This time next year, hopefully we won't be having this discussion.

Smalley said she is aware that each township does things differently. Smalley said public meetings should take priority over everything else.

Campbell said the PC has been working under the plan of public meetings being fit in as they are requested for some time now and has not worked.

Adamson said applicants know when the meeting is, they should work with that schedule. For years the PC has tried to expedite everything for public hearings, and it has exhausted us. We need to get away from that. He does not want the PC to go right back to that the first time there is a request, and that's what we are trying to do here.

Graff said to Adamson's point, "if they see our schedule", Smalley is not working with our schedule so there is something missing (in communication) here.

Smalley said she was under the impression that a special meeting would be the 4<sup>th</sup> Wednesday. She did not realize it was not every month. Moving forward that is what she will do.

Campbell said to Smalley, if someone calls you tomorrow with a request, you would say the next available meeting is May 22<sup>nd</sup>.

Smalley said for clarification; There cannot be a special meeting on the same night as a regular meeting?

Chairman Campbell said "yes".

Discussion continued on scheduling dates and whether everyone had the revised calendar of January 9<sup>th</sup> (Attachment #3).

Fleming said in the past the reason some of the meetings got so long was the process. He is in hopes that with Smalley's help we will be able to streamline the process and it will not take so long.

Smalley said she totally understands the concern of the PC getting an application at the last minute, and sometimes not complete.

Chairman Campbell summarized, there will be a public hearing for Ms. Woods on April 17<sup>th</sup> at 6:00, followed by the regular meeting.

## **6. Old Business:**

- a. **Marijuana, Height, Exterior Lighting Ordinances decisions (Graff):** Graff said the Board approved the PC's proposed ordinance on Marijuana and building height, but not the lighting ordinance. Everyone (Board Members) agreed the focus should be on light-trespass and glare. The board felt it should only be in the historical platted lots. It should not be in Ag because of the large lots and setbacks, or in Lakeshore and R-1 because of the larger lots. Another concern of the Board was that they felt the section on exceptions was confusing and felt others would find it confusing. They asked the PC to take another look at it.

Discussion ensued about whether the PC meant for Ag to be included in the ordinance.

Smalley said it was a general provision and would include all districts.

Vice Chair Liepe said she remembered discussing not including Ag at one point.

Campbell said he believed it was intended for the whole township.

Knisley said in discussion about whether to include Ag, he felt it included residential within ag.

Liepe said with the specific request from the board is something we can work with.

Campbell summarized what we are looking at is the smaller 3.28 subdivisions. Campbell said he and Supervisor Overhiser had a discussion on this yesterday. We need to make sure we know what subdivisions are included. We need to get the exact list.

Smalley said it would be simple enough to just specify the zoning district.

Campbell said he agrees but does not think that is what the board is saying. Does that include Highfield Beach?

Graff said the board specifically said the lots of record because in the Lakeshore District and R-1 Districts the residents are not that close together. The emphasis was on the historically platted lots.

Adamson said in the Pinnacles they built on 10 lots even though they are historically platted lots.

Campbell suggested that he, Hughes and Supervisor Overhiser work on making a list of subdivisions the board has in mind. Hughes agreed.

The 2<sup>nd</sup> concern the board had was that the exceptions section was confusing, specifically decorative lighting, etc.

Campbell asked how the PC would know if they got buy-in from the Board so this does not continue to go back and forth between the PC and Board.

Overhiser said the Board did not reach a conclusion on the exceptions section. Overhiser continued other than lots of record, we have required larger lots to mitigate these types of issues. The only area that stands out is in the lots of record where the homes are close together.

Knisley said the smaller lots are where there is more of an issue, but on the larger lots the neighbors are so far away, the ordinance does not change anything for them. On bigger lots, it's going to be a long way before the light trespasses onto neighbor's property.

Graff clarified, so Knisley is saying on the larger lots this lighting ordinance does not really change anything. The light is going to fade out anyway.

Adamson said we should put it on the agenda and discuss it.

Smalley said she has some ideas of how to fix it, if the PC would like to give her a stab at fixing it.

Graff felt having Smalley work on it was a good idea.

Smalley said she would draft it up and the Board can look at it before it goes to public hearing, so we don't keep going back and forth.

Smalley said there is already lighting in the ordinance several times.

The thing Graff liked about Smalley's offer to come up with the ordinance is in the past we did not have a Zoning Administrator offer to solve this kind of problem for us. We always had to solve it ourselves with input from the Zoning Administrator.

Smalley said she is the one who will have to enforce it. She can't enforce somebody's lightbulb. There is no way with grandfathering to tell who already

had a bright lightbulb. As it was written, it would be an enforcement nightmare. She would like to protect people with an ordinance she can enforce.

Campbell said go ahead with that plan, but we did have a consultant who helped us with this and a lady who is an expert in the audience who knew what she was talking about.

Smalley said she is the one who will have to enforce the ordinance.

Campbell said his feelings are that it would be a complaint driven enforcement.

At the next meeting Smalley will provide Commissioners with a draft that address the concerns that the board has.

Knisley asked if Smalley could get the text to Commissioners so they could review it ahead of a meeting.

Smalley said they would have the draft two weeks before a public meeting.

Fleming asked who in the township has had a problem with lighting.

Graff said there were several people from Miami Park, and she has given the example of her neighbor 5 lots down. Graff can see the lights 24/7. The people are only there maybe 5 weeks a year.

Campbell had his electrician adjust his outside spot lights because they were a glare issue. At night when they were on, if you were coming up to the top sign they were glaring. The electrician just pointed them down. He had never even thought about it until the discussion.

Hughes recalled a photo of a tall house next to a short house and the tall house had lights shooting down onto the short house.

Campbell said that is where the diagrams are good.

Graff added the board thought the diagrams helped a lot.

Supervisor Overhiser said he was good with the PC moving in this direction.

**b. Municode update (Smalley/Campbell):**

Campbell asked when the marijuana and building height ordinances would be in effect.

Smalley said they will be published in the paper on 3/31/19, and eight days after that they will be in effect.

Campbell said the plan and agreement with Municode was once these 3 zoning amendments were addressed, we go ahead. Now that the board has given back the lighting ordinance, they will go ahead with just the marijuana and building height ordinances. Chairman Campbell will send an email out tomorrow copying Supervisor Overhiser and ZA Smalley to notify them Campbell will be out of dealing with Municode. From now on Smalley will be the contact person.

Smalley said Municode will need an ordinance number and the date it went into effect. Smalley said she will have everything to them within 1 ½ weeks.

Campbell said everything that is current and sent to them will be posted to their website, then Casco Township will put a link on our website to theirs.

**c. Roessing Site Plan signoff (Smalley):** The following conditions on in Chapter 17, page 9 of minutes has been met:

- Building with changed from 40' to 50' on building at west end of property
- Rear setback changed from 50' to 35'
- Add 2<sup>nd</sup> Well to site plan
- ZBA rear setback variance from 50' to 35'
- NSEW corrections be made on site plan

Conditions in the 2<sup>nd</sup> paragraph of page 6 in the minutes concerning Chapter 15 have been completed and checked:

- Health department approval for up to 150 guests
- Applicants provide a copy of the rules
- Applicants provide a copy of their contract
- Noise test be done
- Pending on setback variance approval

All conditions have been met. PC members signed two copies, one for file and one for the applicant.

Campbell asked Smalley if a PC member was not present at the public hearing, should they still sign the application. Smalley said he is still verifying that everything is there and can still sign.

## **7. New Business:**

**a. Public Comment on New Business Agenda items:** None

**b. Annual meeting (April 6<sup>th</sup>) with Casco Board (Campbell):**

**i. Master Plan Kick-off:**

As agreed upon at the last meeting, Hughes, Smalley and Campbell met with Supervisor Overhiser to see if he felt the board would support the PC moving forward with a look at the Master Plan during the April 6<sup>th</sup> meeting.

Supervisor Overhiser said the Board felt discussion on the Master Plan would be a good idea.

Campbell said they need to work on an agenda. He said they kicked around phases or process for addressing the MP. Hughes and Campbell will come up with a draft for the agenda. The 2005 and 2012 versions of the MP have a summary of the survey that was done.

Campbell said a member of the public requested another item be on the April 6<sup>th</sup> agenda. The requested was for the board to summarize what the costs and benefits of the economic development person for Allegan County are including dollar amounts. Supervisor Overhiser will report on that at the meeting and Campbell will put it on the agenda.

Fleming suggested the name of the April 6<sup>th</sup> meeting be changed as not to be confused with the Board's annual meeting. It was decided to call the meeting the Annual Joint PC / Board Meeting.

Graff said she had a letter from Brian Dissette, City Manager of South Haven (Attachment #4) regarding Planning for Resilient Coastal Communities Project. The Board agreed Casco should participate and thought a representative from the Planning Commission should be part of the group.

**c. Planning Commission activities/process:**

**i. Site Plan Review Process - Chapters 15 & 17 ZO Manual (Campbell/Smalley):**

Campbell said he has asked Smalley to do agendas for Special Meetings and Public Hearings and for guidance on how to approach site plan reviews. After review of Smalley's agenda, he asked that the 2 minute rule be added to public comment (#2 of agenda).

Campbell asked for Smalley's assessment of 15.02 C Review Standards and the checklist in Chapter 17. Campbell asked if it is necessary to read through all of them.

Smalley said she will give her opinion on items with a clear answer, but some things are subjective. She Smalley can say if there is a sufficient number of parking spaces but cannot answer how it will affect the neighbors. That will be up to PC members.

Campbell asked if he could just ask Commissioners if there are any items they would like to discuss.

Smalley said the audience does not need to hear every item in the general review questions, but for example, the PC could ask if there are any questions on #F.

A copy of the General review questions could be available for the audience if they are interested.

Hughes said it is good to go over the checklist, but a lot of the review standards are not applicable.

Smalley said it is not necessary to spend an hour reading every item.

Graff said some standards are General and some specific. She asked if Smalley would give a comment or say whether she is satisfied with an item.

Knisley said in the past all words were spoken and then “not applicable” would be said after reading. He suggested not reading it but say #\_\_ is not applicable. If someone questions it, then for the protection of everybody it could be read.

Liepe said when she receives the application, she looks through it and writes notes so that ahead of time we can say we need to pay attention to number such and such.

Smalley said she does not always think of everything and Commissioners should ask questions.

Liepe said a drive-by of the property is also helpful.

Smalley said after reading Ellingsen’s assessments from the past she see a lot of words. She does not do that. Smalley added she does not know which the PC prefers.

ii. **Other:** Nothing

8. **Report of Zoning Administrator (Smalley):**

Campbell passed out a copy of the ZA financial report (Attachment #5) Campbell asked Smalley if there was anything else coming up.

Smalley said there is a ZBA meeting on April 11<sup>th</sup>,

9. **Report from Township Board representative (Graff):**

Highlights from Board meeting:

- The Township is converting to new accounting system, Clerk Brenner, her assistant Cathy Stanton, Treasurer Lou Winfrey and her assistant are learning about it. The first set of reports have been done. It is a work in progress.
- The airport received an award for being "Airport of the Year". Ron Wright, the airport manager, got a call that they had won.
- Jessup reported a 1.75% increase in wages and the county is adding public defenders
- City of South Haven is looking for a finance director
- Citation authorization has been approved and Macyauski can now write tickets
- Property owned by the Casco in Scotsonia will be sold. A letter will be sent to property owners within 300 feet notifying them of the lots for sale.
- Joint meeting with PC and Board
- There will be a meeting on Monday, March 25<sup>th</sup> with the Drain Commission and Road Commission to discuss road drainage
- May 7<sup>th</sup> will be an election. Police renewal and Fennville School millage will be on the ballot.

10. **Report from ZBA representative (Hughes):**

There will be a meeting March 28<sup>th</sup> for a variance request on 918 Adams Road. The applicant wishes to build a house and needs a 33' front yard variance because it is on the lake and to meet DEQ requirements he would need to be 17' from the right of way.

Campbell added property on the lakefront have two front yards.

11. **Report from Water/Sewer representative (Adamson):**

Adamson he was not present at the meeting and deferred to Overhiser who is the Chair of Water/Sewer.

They had an appeal from Julie Cowie who wanted the installation of a small internet tower on a water tower at WalMart. Cowie's goal is to serve internet to Casco and some parts of Geneva and South Haven townships.

12. **Adjourn:** A motion by Graff, supported by Fleming to adjourn. Meeting was adjourned at 8:10 PM.

Next meetings: March 27<sup>th</sup>, 6 PM, Public Meeting SLU  
April 17<sup>th</sup>, 6 PM, Public Meeting SLU followed by regular meeting  
April 6<sup>th</sup>, 9 AM, Annual Joint Meeting PC and Board

Attachment #1: Sign in Sheet

Attachment #2: Agenda

Attachment #3: Revised calendar 1/9/2019

Attachment #4: Letter from Brian Dissette Re: Planning for Resilient Coastal  
Communities project, March 18, 2019

Attachment #5: ZA financial report

Minutes prepared by Janet Chambers, Recording Secretary



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| <p><b>REGULAR MEETING OF CASCO TOWNSHIP PLANNING COMMISSION</b><br/> <b>March 20, 2019 7</b><br/> <b>PM</b></p> |
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|-----|---|---|
| 1.  | Call to order   |   |
| 2.  | Review/Approval of Agenda<br>min.   | 5                                       |
| 3.  | Interested Citizens in the audience will be heard on items <b>NOT</b> on the Agenda &<br>Public Correspondence received (2 minutes each)  | 10 min.                                 |
| 4.  | Approval of minutes:<br>min. a. 02/06/2019 Regular Meeting<br>b. 02/27/2019 Public Hearings (Marihana, Height 21/2 stories, Exterior Lighting)  | 10                                      |
| 5.  | Calendar review<br>a. April Site Plan Special Meeting request   | 10 min.                                 |
| 6.  | Old Business:<br>a. Marihana, Height, Exterior Lighting Ordinances decisions (Graff)<br>b. Municode update (Smalley/Campbell)<br>c. Roessling Site Plan signoff (Smalley)   | 5 min.<br>5 min.<br>5 min.              |
| 7.  | New Business:<br>a. Public Comment on New Business Agenda items (2 minutes each)<br>b. Annual meeting (April 6 <sup>th</sup> ) with Casco Board (Campbell) 15 min. i. Master plan kickoff<br>c. Planning Commission activities/process:<br>i. Site Plan Review Process,<br>Chapters 15 & 17 ZO Manual (Campbell/Smalley)<br>ii. Other | 10 min.<br>15 min. i.<br>15 min.<br>TBD |
| 8.  | Report of Zoning Administrator (Smalley)  | 5 min.                                  |
| 9.  | Report from Township Board representative (Graff)   | 5 min.                                  |
| 10. | Report from ZBA representative (Hughes)   | 5 min.                                  |
| 11. | Report from Water/Sewer representative (Adamson)  | 5 min.                                  |
| 12. | Adjourn   |   |

## Casco Township

### Planning Commission

2019 Revised Calendar  
1/09/2019

| Month     | Regular Mtg* | Special/Public Mtg** | Annual Mtg*** |
|-----------|--------------|----------------------|---------------|
| January   | <b>9th</b>   | (16th)****           |               |
| February  | <b>6th</b>   | (20th)****           |               |
| March     | 20th         | 27th                 |               |
| April     | 17th         |                      | 6th           |
| May       | 15th         | 22nd                 |               |
| June      | 19th         |                      |               |
| July      | 17th         | 24th                 |               |
| August    | <b>7th</b>   |                      |               |
| September | 18th         | 25th                 |               |
| October   | 16th         |                      |               |
| November  | 20th         | 25th                 |               |
| December  | 18th         |                      |               |

- \*Regular meetings are scheduled for 3<sup>rd</sup> Wednesday of month. **Bold dates for February & August are 1<sup>st</sup> Wednesday and January 9<sup>th</sup> is the 2<sup>nd</sup> Wednesday**. All regular meetings will start at 7PM.
- \*\* Special/Public Hearings will be determined by PC Chair & Zoning Administrator based on PC criteria with required paper advertising and posting on Casco Website as needed. All Special Meetings will start at 6PM. The dates in this column are tentative until need is determined, PC members please hold these dates open at this time for possible scheduling.
- \*\*\* Focus of meeting will be PC operating procedures, minutes review, etc.
- \*\*\*\*To be determined by PC Chair & Zoning Administrator based upon applications/Board request in hand by December 17<sup>th</sup>, 2018 for a special/public hearing.

March 18, 2019

All,

This *Planning for Resilient Coastal Communities* project is a jurisdictional planning assistance program, facilitated by the Land Information Access Association (LIAA) with assistance from Michigan Technological University and the Taubman College of Architecture and Urban Planning at the University of Michigan. Funding for the cooperative planning project is being provided by the Michigan Coastal Zone Management (CZM) Program. The overall project mission is to foster and support a focused but community-wide planning effort that leads to the adoption of plans and policies that promote coastal resilience in the community.

With grant-funding and direct support from our project partners, LIAA expects to provide a full range of professional planning and technical support services to the participating jurisdictions over the course of several months. These services will include public education and participation processes, data gathering and analyses, evaluation of future scenarios, vulnerability analyses, visioning and goal setting, task identification and the development of plans and policies. These plans could be adopted through a variety of traditional land uses processes (e.g., master plan addendum, master plan update, overlay plan, etc.)

For us to move forward, we will need to decide if the city, South Haven Charter Township and Casco Township are desirous of formally partnering on the planning work. Please let me know if your jurisdiction wishes to proceed. Assuming that all three jurisdictions wish to proceed with the joint project, staff will work with LIAA and representatives from each Planning Commission to schedule a joint session to flesh out the details.

Please let me know if there are any questions and/or concerns.

Thanks for the time and attention.

Brian Dissette

Michigan Township Services Allegan

111 Grand  
Allegan, MI 49010

**Invoice**

| Date     | Invoice # |
|----------|-----------|
| 3/4/2019 | 3360      |

|  |
|--|
| Bill To  |
| Casco Township<br>7104 107th Ave<br>South Haven MI 49090 |

| P.O. No. | Terms | Project |
|----------|-------|---------|
|          |       |         |

| Quantity     | Description   | Rate  | Amount          |
|--------------|---|-------|-----------------|
| 2            | Zoning February 2019<br>2/5 office hours  | 48.00 | 96.00           |
| 0.25         | 2/5 re-do agenda & public hearing notice, from 2-20 to 2-27                       | 48.00 | 12.00           |
| 2            | 2/6 office hours  | 48.00 | 96.00           |
| 0.25         | 2/6 Ashley Hidler, Wightman & Assoc, 7221 Lakeview zoning questions               | 48.00 | 12.00           |
| 2            | 2/12 office hours   | 48.00 | 96.00           |
| 0.25         | 2/12 Tom Merry questions regarding a survey. Joe Carver, beach lot min dwell regs | 48.00 | 12.00           |
| 2            | 2/13 office hours   | 48.00 | 96.00           |
| 2            | 2/19 office hours   | 48.00 | 96.00           |
| 0.25         | Steve Hillsman, Miami Park min dwell regs, setbacks                               | 48.00 | 12.00           |
| 1.5          | 2/20 phone conference, master plan update   | 48.00 | 72.00           |
| 0.25         | 2/21 Jessi Szathkowski, email 629 68th St, zoning questions regarding bee farm    | 48.00 | 12.00           |
| 0.25         | 2/22 Jackie, Bricks and Mortar, Med Marij information                             | 48.00 | 12.00           |
| 2            | 2/26 office hours   | 48.00 | 96.00           |
| 1            | 2/27 site plan review 68th, special land use, campground, Irene Wood              | 48.00 | 48.00           |
| 1            | 2/27 Planning Commission meeting  | 48.00 | 48.00           |
| <b>Total</b> |   |       | <b>\$816.00</b> |