#### APPROVED 6-3-15

# Regular Meeting of the Casco Township Planning Commission

May 6, 2015 - 7:00 PM

MEMBERS PRESENT: Bruce Barker, Daniel Fleming, David Campbell, Dian Liepe, Lewis Adamson, Paul Macyauski and Judy Graff

ABSENT: None

STAFF PRESENT: Susan West, Recording Secretary

- 1. Call to Order and review of agenda Meeting was called to order at 7:01 pm. There were three additions to the Agenda, two-wit: under Old Business: Tiny Homes and under New Business: Fracking and Election of new Chairman (Chairman Barker stated that his home has sold and therefore, this will be his last meeting on the Planning Commission)
- 2. Approval of minutes of 3/4/15 & 4/8/15 Motion by Macyauski, supported by Fleming, to approve the Minutes of the March 4, 2015 Regular Meeting. All in favor, MSC. Motion by Liepe, supported by Fleming, to approve the Minutes of the April 8, 2015 Regular Meeting. All in favor, MSC.
- 3. Report from the Township Board Representative No Report
- 4. Report from the ZBA Representative: Paul Macyauski reported the following:
  - A. The continuation of the meeting held on March 26, 2014 that was not properly adjudicated was held on April 16, 2015. A variance was granted with a better understanding of the property.
  - B. There will be a request heard later this month but that he hasn't received any information/paperwork as of yet.
- 5. Report from Water/Sewer Representative Lewis Adamson reported as follows:
  - A. Financially, we have approximately \$400,000.00 less than this time last year.
  - B. There has been one connection in Casco Township and none in South Haven. New construction hook-ups are made after the building is completed so more connections are expected in South Haven.
  - C. There has been no progress with the mandatory hook-ups. It has been a month since the requirements of the Township (i.e.: Affidavits, etc.) have been turned over to the attorney. Liepe suggested writing a letter to the attorney.
  - D. The Township is close to using the 400,000 gallon/day maximum (approximately 320,000 gallons a day are being used). Chairman Barker asked if it would take approximately 2 years, based on 5% growth, for the Township to be at the maximum. Adamson agreed. Adamson

stated that Allan Overhiser will be meeting with the City to try to re-negotiate this matter and that Adamson will have more to report at the next meeting.

- 6. Resolutions requiring Planning Commission action: None
- 7. Old Business: Tiny Homes
  - A. Fleming stated that based on the fact that the small homes discussion was dropped because of lack of interest and based on the fact we have heard from the community on this matter, he would like to reopen this topic. Fleming further stated that he would like to remove the 1,000 sq. ft. minimum building size in the AG District. Chairman Barker asked for further comments on this matter and the following were made:
    - i. Macyauski asked if Fleming would like to amend the Township Ordinance and Fleming stated that he would. Macyauski stated that he believes then that Ellingsen and the Township Attorney would need to write the wording. Graff stated that this matter should be discussed before Ellingsen and the attorney are asked to prepare wording.
    - ii. Campbell stated that the issue of more than one home on a lot would then come up again. Fleming stated that it would not and that he believes everything should remain the same (i.e.: lot coverage %, setbacks, etc) except for the elimination of the 1,000 sq. ft. building size minimum.
    - iii. Chairman Barker stated that he believes Ellingsen should be asked to prepare a position letter for the Commissioners' review.
    - iv. Campbell asked what might be different than from the first time Ellingsen was asked about this matter. Macyauski stated that now, we would only be considering making a change to the AG District. Chairman Barker stated that now, we won't be including the possibility of two homes on a single lot.
    - v. Liepe stated that she believes that the AG District currently has a lot of variety and that if a person wishes to build a small home in that District, they should be able to do so.
    - vi. Macyauski asked Liepe if she would agree with allowing small homes in the AG District if they were built with the intention of renting them out. Liepe answered that she would.
    - vii. Fleming asked what would be the process if this change is made. Chairman Barker stated that if, after discussion, the Commissioners would like to proceed, a public meeting would be scheduled on same.
    - viii. Campbell asked that his e-mail to the Commissioners, dated April 2, 2015, giving input on Tiny Homes, be attached hereto as Attachment 1
    - ix. Chairman Barker stated that he will ask Ellingsen to prepare a position letter that can be reviewed at the June 3, 2015 meeting.
    - x. Campbell stated that there were people from the AG District at the Special Joint Meeting that had concerns regarding small homes.
    - xi. Macyauski asked Fleming if he had a number in mind if the 1,000 sq. ft. minimum is changed. Fleming stated that he believes there should be no minimum.

#### 8. New Business:

A. Annual Meeting Presentation: Chairman Barker stated that the Planning Commission has nothing new on the table at this time and that the Master Plan and Zoning Ordinances will not have to be reviewed for 3 years, so he would recommend to Fleming that he go to the Annual Meeting and state that things are going well. Liepe suggested that Fleming report that there has been a change of Chairman.

B. Chairman Barker stated that after 10 years on the Planning Commission, he is resigning. Chairman Barker further stated that the Commissioners have made his time on this Commission enjoyable and that he believes this is an exceptionally well grounded group and that the Township has benefited from their work. Chairman Barker thanked all the Commissioners for their hard work.

Graff stated that Chairman Barker has done a terrific job as Chairman and all the Commissioners agreed! Macyauski stated that much has been accomplished during the time he was Chairman. Liepe stated that she appreciated all his work.

Chairman Barker suggested that they re-align the officers. Regarding Chairman: Motion by Campbell, supported by Macyauski, that the current Vice Chairman (Fleming) take over as Chairman until the end of this current term. All in favor, MSC. Regarding Vice Chairman: Macyauski nominated Campbell as Vice Chairman, but Campbell did not accept the nomination. Chairman Barker stated that Graff and Macyauski could not fill the position because they are both on other Boards. Liepe volunteered to act as Vice Chairman until the end of the current term. All in favor, MSC. Regarding Secretary: Macyauski nominated Campbell as Secretary. All in favor, MSC.

9. Public Comment: Tom Tucker, of 726 Blue Star Hwy., South Haven, MI 49090, stated that he would like to be placed on the Agenda for the next meeting to shed some light on fracking. Mr. Tucker then asked Chairman Barker for his thoughts on fracking. Chairman Barker stated that the Planning Commission takes the information and if it is something they can act on, they will. Chairman Barker further stated that he believes conversations are always good and that he will have the matter placed on the Agenda for the June 3, 2015 Meeting.

Chairman Barker asked for further comment from the public and/or the Commissioners. There was none.

Motion to adjourn by Fleming, 2nd by Graff. All in favor, MSC. Meeting adjourned at 7:58 pm

Minutes prepared by Susan West, Recording Secretary

Next Meeting: Regular Meeting on June 3, 2015 at 7:00 pm

Attachment 1: Campbell's e-mail to the Commissioners, dated April 2, 2015, giving input on Tiny Homes

Attachment 1



From: Dave/Mary Campbell davecmich@yahoo.com Subject: Casco Residents Tiny Home Input Sample

Date: April 2, 2015 at 3:36 PM

To: Dave/Mary Campbell davecmich@yahoo.com, Bruce Barker brucebarker@hotmail.com, graffj@i2k.com, clerk@cascotownship.org, Paul Macyauski paulmacyauski@yahoo.com, skwirely@frontier.com, Paul Macyauski paul.macyauski@pinnaclefoods.com, Lou Adamson lou@lasrpm.com, Sue/Mike sue@greatwoodboats.com, Dan Fleming sixliteraldays@gmail.com, Dian Liepe liepe@msu.edu

# Dear all,

Attached is a document containing input for the Planning Commission's continuing discussion of Tiny Homes. The document contains input from several residents/Association Board that was originally submitted by me to the Planning Commission for our Special Meeting on February 7, 2015. The document's cover sheet contains a summary of the materials and the individual submitters. The "Excerpts from the South Haven Michigan Zoning Ordinance" was prepared by me as part of my preparation for the February 7th meeting. I plan to review this material at our next, or a later regularly scheduled, meeting for inclusion in the Commission's minutes along with other materials regarding this agenda item.

Campbell Tiny Homes input.pdf

# **Casco Township Planning Commission**

David R. Campbell Sr. Small/Tiny Houses February 4, 2015

- 1. Excerpts from South Haven Michigan Zoning Ordinance (Pages 1-3 of 10).
- 2. Email from Dave Campbell requesting preliminary feedback on Small/Tiny Houses from West of Blue Star residents. (Page 4 of 10).
- 3. Dan Way feedback (Miami Park) (Page 5-6 of 10).
- 4. Mark McKitrich (Miami Park) (Page 7 of 10).
- 5. Bob King (Glenn Shores Association Board Member) (Page 8 of 10).
- 6. Carleen Jones (Glenn Shores) (Page 9 of 10).
- 7. Frank Cunningham (74th Street lake front) (Page 10 of 10).

# ARTICLE I TITLE, PURPOSE, SCOPE AND LEGAL BASIS

#### SECTION 100. TITLE

This Ordinance shall be known and may be cited as the "South Haven Zoning Ordinance."

#### SECTION 101. PURPOSE

This Ordinance is based upon the South Haven Comprehensive Plan and is designed 1) to promote the public health, safety and general welfare; 2) to encourage the use of land in accordance with its character and adaptability and limit the improper use of land; 3) to conserve natural resources and energy, to meet the needs of the State's residents for food, fiber and other natural resources, places of residence, recreation, industry, trade, service and other uses of land; 4) to insure that uses of land shall be situated in appropriate locations and relationships; 5) to avoid the overcrowding of population; 6) to provide adequate light and air; 7) to lessen congestion on the public roads and streets; 8) to reduce hazards to life and property; 9) to facilitate the adequate provision of a system of transportation, sewage and disposal, safe and adequate water supply, education, recreation and other public requirements; 10) to conserve the expenditure of funds for public improvements and services so as to obtain the most advantageous uses of land, resources and properties. This Ordinance is adopted with reasonable consideration, among other things, of the character of each zoning district, its peculiar suitability for particular uses, the conservation of property values and natural resources, and the general and appropriate trend and character of land, building and population development.

#### SECTION 102. SCOPE AND INTERPRETATION

This Ordinance shall not repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws, ordinances or regulations, except those repealed herein by specific reference, or with private restrictions placed upon property by covenant, deed or other private agreement, or with restrictive covenants running with the land to which the City is a party. Whenever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance imposes more stringent requirements than are imposed or required by this Ordinance, then the provisions of such law or ordinance shall govern.

#### SECTION 103. LEGAL BASIS

This Ordinance is enacted pursuant to Michigan Public Act 207 of 1921, as amended.

# ARTICLE IV R-1A, R-1B, AND R-1C SINGLE FAMILY RESIDENTIAL AND R-2 RESIDENTIAL DISTRICTS

# **SECTION 400. INTENT**

The R-1A, R-1B and R-1C Single-Family Residential Districts are designed to preserve the character of the single-family residential neighborhoods in the City from intrusion by incompatible land uses. R-1A districts are typically areas of the City originally platted as 50 foot wide lots, and the setback regulations are designed to permit development similar to the character of existing land uses. R-1B districts are made up of areas of the City where there are typically larger lots than 50 feet in width, with 66 feet as a typical lot width. R-1C districts are cottage districts which typically have smaller lots than 50 feet in width and have dense development. In all of these districts, it is the intent of this ordinance to allow development which fits the existing characteristics and patterns of development.

#### SECTION 401. R-1A, R-1B AND R-1C USE REGULATIONS

Land, buildings and structures in the R-1 zoning district may be used for the following purposes only:

- One-family detached dwellings.
- Two-family dwellings which were erected prior to the effective date of the amendment
  which added this provision. Thereafter, no new two-family dwellings, or conversions to
  two-family dwellings are permitted in this district.
- 3. Farms in existence on the effective date of this Ordinance are allowed by right, all others by special use permit (see Section 1510.12.)
- Publicly owned and operated libraries, parks, recreational facilities, and municipal parking lots by special use permit.
- Cemeteries which lawfully occupied land in this district at the time of adoption of this Ordinance.
- Churches and other facilities normally incidental thereto when authorized as a special land use. In considering such authorization, the Planning Commission shall ensure compliance with the standards in Article XV:
- Public, charter, parochial and private schools offering courses in general education, when authorized as a special land use by the Planning Commission. In considering such authorization, the Planning Commission shall ensure compliance with the standards of Article XV.
- Family day care home is permitted. Nursery schools, day nurseries and group day care homes, not including dormitories, when authorized by the Planning Commission as a special land use. In considering such authorization, the Planning Commission shall ensure compliance with the standards of Article XV.
- Private noncommercial recreation areas, institutional or community recreation centers, nonprofit swimming pool clubs when authorized as a special land use by the Planning Commission. In considering such authorization, the Planning Commission shall ensure compliance with Article XV.

other zone by special use permit provided it is designed for and used exclusively for that purpose, is clearly accessory to the principal use, does not occupy more than 400 square feet of space, does not violate any setbacks and meets all the standards of Section 1502. In addition, if the building used as residential quarters for a caretaker or security personnel is freestanding it shall not be used for any other dwelling purpose other than as residential quarters for a caretaker or security personnel, nor shall it be used as the basis for dividing a parcel to create a separate lot with a separate dwelling unit.

# SECTION 1734. COMPATIBILITY WITH NEARBY STRUCTURES

- 1. Exterior building design and facades are encouraged in all parts of the City to be compatible in design, shape, materials, colors, size and scale with those of the bulk of the other buildings in the block in which the property is located and which together make up the character of the area. Achieving design compatibility protects the investment of all property owners in the area, and hence the tax base, which in turn benefits all citizens in the community.
- New buildings, additions or alterations to the exterior of buildings within three hundred (300) feet of a property line on which an historic structure is located, or from the edge of a designated historic preservation district, are strongly encouraged to be designed with consideration to avoiding potential negative impacts on the character of the historic structure or district, and on the entire area, or neighborhood. An historic structure is one recognized on a state or federal historic structure registry or in the registry of the Van Buren Historical Society. Potential negative impacts include building lines and roof types, materials and colors, and a size or scale inconsistent with the character of the historic structure or other buildings in the area.

#### SECTION 1735. SIDEWALKS

Every subdivision, condominium project, PUD, commercial, industrial, marina or other public or private project newly constructed in the City or which must go through site plan review shall have sidewalks at least five (5) feet in width that meet the construction standards of the City for sidewalks, and may have an all weather path and trail system which connects to public sidewalks if so approved by the Planning Commission. (See Article IV, Sidewalks, in the Code of Ordinances of the City of South Haven).

#### SECTION 1736, STREET STANDARDS

- Requirements to be met New public streets shall conform to the requirements of this Section and Chapter 74, Article I of the Code of Ordinances of the City of South Haven.
- Construction standards The creation of a street that serves a division of land, a subdivision or a parcel shall meet or exceed the cross-sectional construction standards established by the City Engineer.
- Right-of-Way Width All streets shall have a minimum right-of-way easement of at least the width established by the City Engineer, and as approved by the Planning Commission.
- 4. <u>Dedication of Rights-of-Ways or Easements</u> All new streets shall be dedicated to and accepted by the public, and no structure or development activity shall be established within approved rights-of-ways or easements. All plans as submitted for approval must show the proposed street including a legal description, and must include the grades for these streets.

From: Dave davecmich@vahoo.com Subject: Tiny/Small Houses in Casco TWP Date: December 15, 2014 at 8:42 AM

Bcc. Kevin Freeman klf860@gmail.com klf860 bigmail.com, William Garrity wegan to had been share guerre the orin, dbluke prodigy net, Desert Oasis desert oesise hotmail com, Charlotte Gilmore share and som, Carleen Jones planeprincess 99@live.com, Frank . Cunningham 41 and edu

I'm on the Casco Planning Commission and several commissioners have raised the question of recommending to the Board of Trustees reducing the minimum sized home that can be constructed in the Township from the current 1000 sq ft to some smaller size yet to be determined to accommodate smaller more affordable housing. This item will be on our planning commission meeting agenda at our Saturday, February 7th meeting from 9AM-1PM at the Township Hall.

We have had some interesting discussions in recent months around this item regarding the pros (e.g., making housing more affordable to local residents, making it easier to build smaller second homes for relatives, etc...) and perceived cons (e.g., potential impact on housing values in certain areas and the overall township tax base, potential to significantly change the character of neighborhoods. etc.....). If you have any thoughts on this item I would appreciate your passing them along to me prior to the February 7th meeting or attending the meeting so that you can add to the discussion. The issues covered at this meeting are quite interesting and range from the overall financial condition of the Township to developments in the Water/Sewer Authority district, ...... all are welcome.

From: Dan Way dan a shoresofoouthhaven ourn Subject: Fw: Fwd: Tiny/Small Houses in Casco TWP

Date: January 5, 2015 at 11:16 AM

To: Dave/Mary Campbell davecmich: vahoo.com

Hi Dave, Dan Way here from Miami Park.

Being in the real estate business for over 10 years in the South Haven area I want to express my opinion on reducing the home size from 1,000 Sq. Ft. There are examples where that has been done in South Haven and the South Haven Township like the Sunny Brooke development etc. I understand the need for affordable housing but I believe that allowing anything smaller then 1,000 Sq. Ft. homes in certain areas would effect the market value of homes, there is plenty of case history that supports this. Therefore I am against this initiative unless it is done properly and with respect to developers and home owners that have helped build this area into a beautiful community.

Kind Regards,

**Daniel Way** 

http://www.ShoresofSouthHaven.com Shores of South Haven,Douglas,Saugatuck Cell-269-317-7791 Office-269-637-8555

Fax-269-637-8396

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Real Estate Greatly Increases Your Chance For Wealth And A Secure Future

From: mikewerkema@gmail.com

Sent: Monday, January 05, 2015 7:53 AM

To: Dan Way

Subject: Fwd: Tiny/Small Houses in Casco TWP

Sent from my iPhone

Begin forwarded message:

From: Dave < davecmich@yahoo.com>
Date: January 5, 2015 at 12:21:56 AM EST

To: "mikewerkema@gmail.com" <mikewerkema@gmail.com>

# Subject: Fwd: Tiny/Small Houses in Casco TWP

Mike.

Here's an email I sent asking for input from several lake side subdivisions in Casco regarding reducing the minimum size home to be constructed in Casco to less than 1000 sq ft. I have heard from several subdivisions and would like feedback on this issue from your/Miami Park perspective. Please note that this issue will be on the Agenda for the Feb 7th annual meeting of Planning Commission that will be held from 9am-1pm that day.

David R. Campbell Sr. Sent from my iPhone

Begin forwarded message:

From: Due davecmich@yahoo.com

Date: Lecence 15, NO Lot 2.21 11 IM EST Subject: Tiny/Small Houses to Costa TWF

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From: mark mckitrick markmckitrick same com:
Subject: Re: Tiny/Small Houses in Casco TWP
Date: January 6, 2015 at 9:06 AM
To: Dave/Mary Campbell devection sevence, sc. 1:

# Dear Dave,

I think accommodating tiny houses could be a good thing if done properly. My ideas and opinions are as follows:

Allow a greater percentage of density of tiny homes west of Blue Star Highway and use it as a development tool for these currently sometimes stressed areas.

Allow a certain percentage of tiny homes within a given area, based on total buildable lots. For example, if Miami Park has a current potential of 400 homes, then say 40 of them could be tiny homes. 30 could be allowed east of Blue Star and 10 allowed west of Blue Star. (I am not sure what the fair number is as I am not sure what the total house count is. That would need to be decided).

Allow a smaller percentage of Tiny House density west of Blue Star Highway. Take the determined density percentage and determine allowed plats by lottery. For example, if it was determined that Miami Park would sustain 20% of it's total population with tiny houses, then applications for zoning would be submitted until the 20% is filled. Only land owners could submit their properties for this special zoning. To keep it fair, I would restrict the amount of properties a landowner could submit.

Best regards,

Mark McKitrick 7221 Lakeview Avenue

Mike,

Here's an email I sent asking for input from several lake side subdivisions in Casco regarding reducing the minimum size home to be constructed in Casco to less than 1000 sq ft. I have heard from several subdivisions and would like feedback on this issue from your/Miami Park perspective. Please note that this issue will be on the Agenda for the

From: sracctrep1@hotmail.com

Subject: Re: Casco Planning Commission developments

Date: December 10, 2014 at 12:23 PM

To: Dave/Mary Campbell davecmich 2 yahoc con, Steve Malinowski sMalinowski attraction

Co: tthomas521@aol.com, Larry Scott his cett 1534 regnant com, Julie Golan jul

Steve and Dave.

Here are some thoughts: smaller homes will lead to construction of more seasonal (summer use only) homes which means:

- 1. Fewer people around during non-seasonal periods thus creating a security problem (uninhabitated homes are targets for burglary, squatters and other mischief);
- 2. Fewer people around during non-seasonal periods thus no generation of revenue for local businesses during non-seasonal periods;
- 3. Fewer people around during non-seasonal periods thus creating areas that are bleak and uninhabited during off-season;

### Also:

- 4. Construction of less "substantial" homes thus ultimately leading to erosion of tax base:
- 5. Construction of less expensive homes thus having a negative impact on surrounding property values of more substantial homes (discouraging buyers of more substantial homes on secondary market);
- 6. Construction of smaller, less expensive homes will disrupt the trend of development and discourage construction of more substantial homes (which are taxed at a higher rate, and bring residents to the area who spend more on local goods and services).

Bob King

From: Carleen Jones planeprincess 99% live com

Subject: Re: Casco question

Date: December 13, 2014 at 11:32 AM
To: Dave davecmich@yahoo.com

#### Yes,

I did have contact info. for Miami Park, Mt. Pleasant, The Boardwalk, Eaton Park, and a few people on, the lake side of, North Shore Drive.

I am not sure if this is current still? This was back when we were banded together fighting neighborhood parks.

I would not want to see the minimum square foot requirement drop below 1,000. This would decrease property

values and effect Casco's tax base. Bad idea!

# Sent from my iPhone

On Dec 13, 2014, at 8:09 AM, "Dave" <a href="mailto:davecmich@yahoo.com">davecmich@yahoo.com</a>> wrote:

Hi Carleen.

Question for you. I'm on the Casco planning commission and some commissioners want to reduce the required minimum size of a **new** home constructed in the Township from the existing 1,000 sq ft to some smaller amount yet to be determined, but significant. I'm trying to gather some on how folks west of the Blue Star would feel about this potential change. The topic will likely be a major item on our agenda for our annual meeting on February 7th.

I have contacted Steve Malinowski and he has provided feedback from the GS Board and plans to attend our February 7th meeting himself at this time. Do you have any contact information for folks on the Board of other homeowner associations along the lake shore in Casco that would be affected if a change was made (e.g., Glenn Haven Shores, Sunset Shores, etc.)?

David R. Campbell Sr.

From: Frank J Cunningham Frank J Cunningham 41/8nd edu

Subject: Re: Minimum sized house in Casco Date: December 15, 2014 at 4:13 PM To: Dave dayeemichist vahoo con-

Hi Dave-Been gone for awhile and ignored my e-mail while having fun. Sue and I are well and still hang out at the Yacht club, Sue more than me. She plays Euchre and Ma Jong there. Haven't seen you and Mary there in some time. Are you still members?

My initial reaction is that Lake Front property will naturally eliminate small houses. Who'd spend \$10,000/running foot for a minimum 125 front foot and build a 1000 sq. foot house on it? We have a 150' lot and a 2200 sq. house which will be a tear down on the next round. Recently built lakefront houses on 74th St. have been around 7000sq. ft.+. I don't know about away from the lakefront. It would seem that the quality and design of the house is more important than it's size. But then under a 1000 is pretty small. I guess I don't really know enough to have an informed opinion. But I would like to know more.

We don't have an association here, but up the road is the Miami Park Association. If you haven't been in touch with them, try Max Van Zoeran @ roiproperties@comcast.net. I think he's active in it, or at least goes to meetings.

Hope this helps a bit.

#### Frank

On Wed, Dec 10, 2014 at 11:13 PM, Dave <a href="mailto:com/davecmich@yahoo.com/">davecmich@yahoo.com/</a> wrote: Hi Frank.

Several members of the Casco Planning Commission have been pushing for a reduction of the current zoning requirement that the minimum new house size be 1,000 sq ft. to accommodate Tiny/small homes within the Township. This item will be included on the agenda for our annual public retreat in early February.

I was wondering if you have any thoughts on a potential minimum new home construction size reduction in your area at the south end of the Township's lake front? I was also wondering if there are any homeowners associations in your area that might be interested in having input regarding this potential change.

We haven't seen you guys in quite some time, hope all is going well. Mary and I are doing great and have just completed a significant addition to our place that started back in August.

David Campbell Sr. Sent from my iPad