

**REGULAR ZOOM MEETING OF CASCO TOWNSHIP PLANNING COMMISSION**  
**November 18, 2020**  
**6PM**

1. Call to order and review agenda
2. **Interested Citizens in the audience will be heard on items NOT on the Agenda & Public Correspondence received** (2 minutes each).
3. **Accept minutes:**
  - a. 10/21/2020 Pub Hearing on Amendments to 3.17 and 3.23 (Attachment 1)
  - b. 10/21/2020 Regular Meeting (Attachment 2)
4. **Approved 2021 PC Calendar** (Attachment 3)
  - a. January election of officers
  - b. Composition of 2021 PC team
5. **Old Business: (Campbell, Graff, Smalley)**
  - a. Update: Board decisions on amendments to Sections 2.08 G & N; 3.29A4; 3.30A and 15.03D pasted at our July 15, 2020 public hearing.
  - b. Update: Board decisions on amendments to Sections 3.17 and 3.32 voted on by PC at our October 21, 2020 public hearing.
  - c. Proposed Section 3.43 Fire Pits in Residential Districts (Attachment 4)
  - d. Planning for Resilient Coastal Communities Workshop
  - e. Planning Commission bylaws Section 3.D "Other duties the Township Zoning Act reserves for the planning commission"
  - f. Any old business that may come before the Commission
6. **New Business:**
  - a. Planning Commissioner Handbook (Electronically sent to Commissioners)
  - b. Any other business that may come before the Commission
7. Administrative Reports
  - a. Zoning Administrator (Smalley) (Attachment 5)
  - b. ZBA Chair (Hughes)
  - c. Water/Sewer representative (Adamson)
  - d. Township Board representative (Graff)
8. General Public Comment (2 minutes each)
9. Adjourn

Draft

Casco Township Planning Commission  
Public Hearing – via Zoom  
Text Amendment  
October 21, 2020 6 PM

**Members Present:** Chairman Dave Campbell, Vice Chair Lewis Adamson, Secretary Andy Litts, Board Representative Judy Graff, ZBA Representative Dave Hughes, and PC members Dan Fleming and Greg Knisley

**Absent:** None

**Also Present:** Zoning Administrator Tasha Smalley, Janet Chambers Recording Secretary and Paul Macyauski and Deputy Clerk Kathy Stanton

1. **Call to order:** The meeting was called to order at 6:00.
2. **Review and Approve agenda:** Motion by; Hughes, supported by Fleming to approve agenda. Roll call vote: Campbell–yes; Adamson-yes; Litts-yes; Hughes-yes; Fleming-yes; Knisley-yes (Graff was present but working on technical difficulties with Deputy Clerk) Motion carried 6-0.
3. **Public Comment – other than items on agenda:** None
4. **Overview of the Public Hearing:** Campbell read the public notice.
5. **Open Public Hearing:** Motion by Hughes, supported by Litts to open public hearing at 6:08. Roll call vote: Campbell-yes; Adamson-yes; Litts-yes; Hughes-yes; Fleming-yes; Knisley-yes (Graff working on technical difficulties with Deputy Clerk) Motion Carried 6-0.
  - A. **Text amendment 3.17 Outdoor storage:**
  - B. **Text amendment 3.32 Fences:**
  - C. **Public Comment:** None
  - D. **Planning Commission comments / questions:** Campbell asked Commissioners for input. Litts said the most significant item was tent camping. Litts questioned whether tent camping should be prohibited in Rural Residential where it is not very populated or on vacant land. He said if someone owned a piece of property, they ought to be able to camp on it. He also questioned Item #4 which limits guests from occupying a recreational vehicle on a lot on which a principal building is located.

Adamson questioned where the 72-hr. maximum per year came from. Smalley said that was already in the ordinance.

Knisley asked for clarification on whether a recreational vehicle could be on vacant land. Smalley said no campers on vacant land as stated in #3. "Storage or parking of recreational vehicles shall be limited to a lot or parcel upon which a principal building is located."

Knisley- Asked about vacant land. Smalley said they must have a house on the property for a recreational vehicle to be parked there. Smalley said no campers on vacant lot as stated in #3. Ordinance already reads that way.

Fleming reminded everyone that Tasha is telling us what is in our ordinance. It is up to the PC to decide going forward.

Adamson questioned the 72 hrs. What happens on the 73<sup>rd</sup> hr. What are we using to make that decision?

Fleming added as far as tents, why prohibit the activity when it is the misuse of that activity that is the problem.

Technical difficulties were corrected, and Graff was able to sign in. Graff asked if there were any public comments that she missed.

Paul Macyauski said if somebody owns a parcel and wanted to camp for 14 days or less, they could. He added there is one place in the township where the 14-day limit is abused, and they are also camping with numerous tents.

Discussion moved to Fences, 3.32C being measured from average grade. Smalley said she added *C. Fence height* it shall be measured from average grade of the ground to the top of the fence. She did not make a diagram as discussed at the previous meeting because she did not come up with a diagram that would be clearer than simply saying the average grade would be determined by taking measurements of the grade 5' out from either side of the fence.

Campbell recalled the subject coming up with Ellingson and he said 3' to 5' either side of the fence would be a way to figure average grade.

Fleming said he understood limiting fence height on a corner where it would affect traffic safety, but the PC has not come up with a reason for restricting fence height other places.

- E. **Final comments / questions:** Chairman Campbell invited public comment on the fence height amendment. Macyauski said he understood the reason for going from a 7' to 8' fences in AG is because of deer. Other than Ag, Macyauski said he does not know why fence height is regulated, except that the building codes say 7'.

Smalley said the building codes do not regulate any fence heights. A fence over 7' requires a building permit.

Macyauski said they would have to get a permit and a variance for a taller fence.

Fleming questioned why a property owner should have to explain why they should have a taller fence if the township cannot show why he should not.

6. **Close Public Hearing:** A motion by Hughes, supported by Campbell to close the public hearing at 6:33 PM. Roll call: Campbell-yes, Adamson-yes, Litts-yes, Graff-yes, Hughes-yes, Fleming-yes, Knisley-yes. Motion carried 7-0.
7. **Discussion and decision:** Campbell asked for discussion on 3.17.

Fleming had a comment relating to discussion from last month about tent camping. Since it is not “allowed” in the ordinance it is prohibited. He asked if there is a section telling what we can do with vacant land.

Smalley said Section 3.08 talks about the principal use of a lot. The principal use is determined by a dwelling or commercial structure on the lot. You can walk on it, mow it, you cannot have a use without a dwelling or commercial structure.

Litts asked if hunting would be a use. Would he be able to bring a camper and hunt on his vacant land?

Knisley asked about cutting firewood on a vacant lot.

Motion by Campbell supported by Hughes to approve the proposed text amendments for Section 3.17 Recreational vehicle storage or parking in residential districts. Roll call: Campbell-yes; Adamson-yes; Litts-no; Graff-yes; Hughes-yes; Fleming-no; Knisley-yes. Motion carries with a 5-2 vote.

A motion by Campbell, supported by Hughes to approve the proposed text amendments for Section 3.32 Fences. Roll call: Campbell-yes; Adamson-yes; Litts-yes; Graff-yes; Hughes-yes; Fleming-no; Knisley-yes. Motion carries with a 6-1 vote.

8. **Adjournment of Public Hearing:** Meeting adjourned at 6:41 PM.

**Attachment 1: Notice of Public Hearing**

**Attachment 2: Proposed amendment, Section 3.17 Recreational vehicle Storage or parking in residential districts**

**Attachment 3: Proposed amendment, Section 3.32 Fences**

Draft

**Regular Zoom Meeting of Casco Township  
Planning Commission  
October 21, 2020, 6 PM (immediately following Public Hearing)**

**Members Present:** Chairman Dave Campbell, Vice Chair Lewis Adamson, Secretary Andy Litts, Board Representative Judy Graff, ZBA Representative Dave Hughes, and PC members Dan Fleming and Greg Knisley

**Absent:** None

**Also Present:** Zoning Administrator Tasha Smalley, Janet Chambers Recording Secretary, Paul Macyauski and Deputy Clerk Stanton

1. **Call to order and review agenda:** A motion by Hughes supported by Campbell to approve the agenda. Roll call: Campbell-yes; Adamson-yes; Litts-yes; Graff-yes; Hughes-yes; Fleming-yes; Knisley-yes. Motion carried with a 7-0 vote.
  
2. **Interested Citizens in the audience will be heard on items NOT on the Agenda, and Public Correspondence received:** None
  
3. **Accept Minutes**
  - a. **9/16/2020 Public Hearing on Lighthouse Estates (Attachment 1):** A motion by Hughes, supported by Campbell, to approve the minutes of 9/16/2020 Public Hearing. Roll call: Campbell-yes; Adamson-yes; Litts-yes; Graff-yes; Hughes-yes; Fleming-yes; Knisley-yes. Minutes approved as written with a 7-0 vote.
  
  - b. **9/16/2020 Regular Meeting (Attachment 2):** A motion by Hughes, supported by Campbell, to approve the minutes of 9/16/2020 Regular meeting. Roll call: Campbell-yes; Adamson-yes; Litts-yes; Graff-yes; Hughes-yes; Fleming-yes; Knisley-yes. Minutes approved as written with a vote of 7-0.
  
4. **Proposed 2021 Planning Commission Calendar (Campbell):**
  - a. **Approve Regular Meeting dates for 2021 (Attachment 3):** Campbell asked commissioners to look at the new 2021 calendar. He said officers will be elected at the January 20<sup>th</sup> meeting. The calendar lists the third Wednesday of each month as meeting dates, with possible extra meetings on the 4<sup>th</sup> Wednesday if needed.

A motion to approve the 2021 calendar as printed was made by Hughes and supported by Campbell. Roll call: Campbell-yes; Adamson-yes; Litts-yes; Graff-yes; Hughes-yes; Fleming-yes; Knisley-yes. MSC 7-0.

Fleming thanked Smalley for helping the PC get through Public Meetings in a timely manner, avoiding extra meetings.

Campbell said the Governor signed an act to allow virtual meetings due to Covid-19. Beginning January 1, 2021 members of a public body could participate virtually, via zoom, if they meet one

of three medical conditions. Any members participating virtually must state in the minutes who is attending remotely and where they are attending from. If they do not meet one of the 3 medical conditions, they must be present in the building.

Campbell will discuss this with the supervisor to see how they will handle it.

5. **Old Business:**

- a. **Update: Bylaws posting at Casco website (Smalley):** Campbell said they are still requesting the bylaws be posted on the website.
  
- b. **Update: Board decisions on amendments voted on by PC at our July 15, 2020 Public Hearing (Campbell):** Graff reported on the Board's decisions on amendments from the July 15<sup>th</sup> public hearing.
  - Adding a definition "Glaring" was approved
  - A definition for "nuisance" was not approved. Thea board would like the PC to relook at where the word nuisance is used and see if it can replaced with other wording.
  - The firepit ordinance was not approved, but the board thought they could compromise by changing the 25' setback to 15'. Because there is a 15' building setback, adding this 15' setback for fire pits would still give 25' from the firepit to a dwelling. The Board also said the firepit ordinance should pertain to all single-family dwellings, not just rentals.
  - The excavation ordinance was discussed and tabled to the next board meeting after they have time to consider how it would be enforced.
  - The B&B amendment was approved unamously.

Campbell said interpretation is the problem with the excavation ordinance. Campbell added the firepit ordinance will need a new draft and public hearing.

- c. **Planning Commission bylaw "around screen" discussion (Campbell):**
  - i. **Section 3.D "Other duties of the Township Zoning Act reserves for the Planning Commission "See your Bylaws:** Campbell pointed out Section 3, Duties of the PC include a capital improvement plan for parks, roads, etc. This would explain why the annual joint meeting was done in February in the past. If you want input from the community on capital improvements, February is a good time. Campbell asked PC members to give this some thought for future discussion.
  
- d. **2021 ZO Initiatives (Campbell):** Campbell said the following 3 items will need to be discussed by the PC in the future.
  - i. **Section 3.23 Projections into yards (previously distributed):**
  - ii. **Section 15.03.O Farm Market (Zoning Administrator):**
  - iii. **Section 19 Signs (previously distributed):**
  
- e. **Administrative Zoning Ordinance links at Casco website (Campbell)**
  - i. **Zoning Administrator FAQs:** Some of the points covered on the monthly report could be answered with a FAQ section.

f. **Any old business that may come before the Commission:** None

**6. New Business:**

a. **Marijuana Regulations Ordinance Update (Graff):** Graff gave an update from the last board meetings. In August, the board reviewed a draft from Bultje. In September they discussed and made changes and wanted to see how an update would look. They discussed whether growing or activities should be in AG and RR. Smalley said it would only be allowed in AG or Commercial. The Board came to a consensus that if growing is allowed, a license to transport should also be approved. They also discussed whether if medical marijuana growing is allowed, maybe recreational marijuana growing should also be allowed, limiting both to growing. Monday Bultje will have another draft to discuss. Nothing was discussed about PC involvement.

b. **Any new Business that may come before the Commission:** Campbell got information on Planning for Resilient Coastal Communities, a group being formed by Casco, City of South Haven and South Haven Township for discussion and planning for the coast. Campbell will forward information to all PC members. There is a virtual joint workshop meeting on Wed. 28<sup>th</sup> at 6 PM. Advanced registration is required and information on registering will be included in an email Campbell will be sending out. A subcommittee to represent Casco could be comprised of a couple of PC members and a couple of citizens knowledgeable or interested in the erosion problems along the coast.

Graff agreed with previous suggestions by Campbell for an overlay zone and erosion problems. Graff expressed interest in attending. She asked if she could pass the information on to interested residents. Campbell said it is open to the public if they register.

Litts also expressed interest in attending.

**7. Administrative Reports**

a. **Zoning Administrator (Smalley) (Attachment 4):**

- Campbell asked about inquiries on Blue Star. Smalley said people want to know if cabins could be rented. They cannot. It is residential. Realtors have been advertising them as rentable cabins, so people call in and find the answer is no. The cabins need to be torn down.
- Campbell asked if anymore came up on a Day Care Center. Smalley said no.
- Litts asked about citations issued on the corner of 68<sup>th</sup> and 103<sup>rd</sup>. Smalley said there is property with 10 campers and 2 mobile homes, a park model and camper on the property and they are occupied. She sent them a letter and the Township will be taking them to court.
- Campbell asked about blight letters and where the property is located. Smalley said Lakeview on the east side at the end of the road.
- Graff asked if Smalley has checked into camping on Adams Road. Smalley sent a letter but has not heard back yet.

b. **ZA Chair (Hughes):** Hughes said there have no been any meetings. He will be retiring after December. His spot on the PC will be filled by whoever fills his ZBA Chair seat.

c. **Water/Sewer representative (Adamson):** Adamson said next Tuesday will be a meeting.

d. **Township Board representative (Graff):**

- Clerk Brenner reported that as of Monday there have been 900 requests for mail-in ballots and 530 have been returned.
- A new lawn mower has been purchased to replace the stolen one. Insurance will pay full cost.
- For the 2<sup>nd</sup> time Ron Ridley was named Fire Fighter of the Year. He has been on the force over 40 years.

8. **General Public Comment:** None

9. **Adjourn:** 7:30.

Attachment 1: Minutes 09/16/2020 Public Hearing

Attachment 2: Minutes 09/16/2020 Regular Meeting

Attachment 3: 2021 Proposed Calendar

Attachment 4: Zoning Administrator report

Minutes prepared by Janet Chambers, Recording Secretary



# Casco Township

## Planning Commission 2021 Calendar

Month	6PM Regular Mtg*	6PM Public/Special Mtg**	Joint PC/Board Mtg***
January	20th	27 <sup>th</sup> <i>If Needed</i>	
February	17th		
March	17th	24 <sup>th</sup> <i>If Needed</i>	
April	21st		
May	19th	26 <sup>th</sup> <i>If Needed</i>	1st
June	16th		
July	21st	28 <sup>th</sup> <i>If Needed</i>	
August	18th		
September	15th	22 <sup>nd</sup> <i>If Needed</i>	
October	20th		
November	17th	24 <sup>th</sup> <i>If needed</i>	
<b>December</b>	<b>15th</b>		

\* Regular Meetings are scheduled for the 3<sup>rd</sup> Wednesday of each month.  
When a Public Hearing is scheduled on these evenings it will begin at 6PM and be followed immediately by the Regular Meeting. Only one Public Hearing will normally be scheduled on a regular meeting night.

\*\* Hold for possible Public/Special/workshop meeting(s) on the 4<sup>th</sup> Wednesday of the months designated.

\*\*\* Annual Meeting 9AM to 12PM(noon)

**Guidelines:**

1. Public Hearing(s) and Site Plan Review(s) packets shall be distributed to members and available to public 15 days prior to meeting.
2. Regular meeting agenda will be distributed electronically no later than the Friday before the Regular Meeting date.

**CASCO TOWNSHIP**

**Proposed Fire Pit Zoning Ordinance(s)/Amendments**

**Section 3.28 B. 5. Fire Pit**

**Section 3.39 A.4 Fire Pit Amendment**

**Section 3.43: Fire Pits in Residential Districts (RR, LR-A, LR-B, LDR, Section 3.28 Nonconforming Lots and Structures)**

Section 3.28 B. 5. Fire Pit. A fire pit shall not be less than twenty-five (25) feet from any structure or building or combustible materials and have a setback of fifteen (15) feet from a property line. The maximum size shall be three (3) feet wide by two (2) feet high, and be in full compliance with all other regulations set forth by SHAES (South Haven Area Emergency Services or any successor organization) as of November 1, 2017, or as amended.

STR  
Rental

Section 3.39 A. 4 *Fire Pit*. A fire pit shall not be less than twenty-five (25) feet from any structure or building or combustible materials and have a setback of fifteen (15) feet from a property line. The maximum size shall be three (3) feet wide by two (2) feet high, per the regulations set forth by SHAES (South Haven Area Emergency Services or any successor organization) as of November 1, 2017, or as amended.

**Section 3.43: *Fire Pits in Residential Districts (RR, LR-A, LR-B, LDR, Section 3.28 Nonconforming Lots and Structures)*** A fire pit shall not be less than twenty-five (25) feet from any structure or building or combustible materials and have a setback of fifteen (15) feet from a property line. The maximum size shall be three (3) feet wide by two (2) feet high, and be in full compliance with all other regulations set forth by SHAES (South Haven Area Emergency Services or any successor organization) as of November 1, 2017, or as amended.

Michigan Township Services Allegan

**Invoice**

111 Grand  
Allegan, MI 49010

Date	Invoice #
11/5/2020	3586

Bill To
Casco Township 7104 107th Ave South Haven MI 49090

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	Permit fees October 2020	10,086.30	10,086.30
	Inspections 7 @\$40.00	280.00	280.00
0.25	10/1 Ron McGrath, Sunset Shores lots for sale, width requirement	48.00	12.00
0.25	10/5 Nathan Asher, 062-002-12, setbacks; bluff eroding; variance regs	48.00	12.00
0.5	10/5 Margret Hunter, 810 Blue Star, land div questions; new res regs; variance regs	48.00	24.00
0.25	10/5 Dave Williams, lot 14 Maple St, ZP new res	48.00	12.00
2	10/6 office hours	48.00	96.00
0.25	10/7 PC agenda 10/21	48.00	12.00
0.25	10/7 Connie Ward 7279 Baseline, boundary line issues; new survey house is 1ft over property line	48.00	12.00
0.25	10/7 Kevin, 323-045-00 general lot information; too small to build	48.00	12.00
0.25	10/7 Peggy Spencer, lot coverage definition	48.00	12.00
0.25	10/8 Henry, old golf course property, will zoning allow farm to table	48.00	12.00
0.25	10/9 Richard Cardeman, 075-015-40, allowed uses, what can do with property	48.00	12.00
2	10/13 office hours	48.00	96.00
0.25	10/14 Tom Tucker, 726 Blue Star, heard neighbor to south was going to develop 4 new home sites; the owner did call me regarding this, but property not wide enough for private road and meet setbacks	48.00	12.00
		<b>Total</b>	

Michigan Township Services Allegan

# Invoice

111 Grand  
Allegan, MI 49010

Date	Invoice #
11/5/2020	3586

<b>Bill To</b>
Casco Township 7104 107th Ave South Haven MI 49090

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
0.25	10/14 Robert Hubbird, Pershing 603-010-00, setbacks	48.00	12.00
0.25	10/16 June (Developer) 146 Blue Star, what can do with property, can use cabins as tiny homes	48.00	12.00
2	10/20 office hours	48.00	96.00
0.25	10/21 Auer, 6422 111th Ave, ZP pole barn	48.00	12.00
0.25	10/21 Missy, old golf course, campground regs	48.00	12.00
0.25	10/21 Emily Anderson, Shore of SH, 1057 61st, land div regs	48.00	12.00
1.5	10/21 PC meeting	48.00	72.00
0.25	10/22 Jared Kalina, 94 Pershing, Lincoln Ave, easements questions	48.00	12.00
2	10/27 office hours	48.00	96.00
0.75	10/27 ord 101920-1&2 rewrite adopt text and draft adopt notice	48.00	36.00
0.5	10/26 Cottage Home, 480 & 482 Lakeshore, ZP's new res	48.00	24.00
0.25	10/28 Quality Pool, 840 Blue Star, kickback letter, need more information	48.00	12.00
0.25	10/28 Heckin, 7435 Eaton, ZP addition	48.00	12.00
0.75	10/29 adopt text for Board, fence & rv proposed text amendment	48.00	36.00
0.25	10/30 Bob Crimmins, 790-059-00, is lot buildable, only 35ft	48.00	12.00
<b>Total</b>			

Michigan Township Services Allegan

# Invoice

111 Grand  
Allegan, MI 49010

Date	Invoice #
11/5/2020	3586

Bill To
Casco Township 7104 107th Ave South Haven MI 49090

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
0.5	10/30 Matthew Schulte, 842 Blue Star, lots of questions; 2 dwellings on property, can remodel; lot coverage questions; addition setbacks; remodel pole barns questions	48.00	24.00
<b>Total</b>			\$11,194.30