

Approved 10/16/2019

Regular Meeting of Casco
Planning Commission
September 18, 2019; 7 PM

Members Present: Chairman David Campbell, Secretary Lewis Adamson, Board Representative Judy Graff, ZBA Representative Dave Hughes and PC members Dan Fleming & Andy Litts

Absent: Greg Knisley

Staff Present: Zoning Administrator Tasha Smalley and Janet Chambers, Recording Secretary

1. **Call to order.** The meeting was called to order by Chairman Campbell at 7 PM.
1. **Review/Approval of Agenda** (Attachment #1): The agenda was approved.
2. **Interested Citizens in the audience will be heard on items NOT on agenda:** None
3. **Approval of minutes:**
 1. **08/07/2019 Regular Meeting:** Motion by Litts, supported by Graff to approve minutes of August 7, 2019 with attachments added. All in favor. Minutes approved.
4. **Calendar review (Campbell)** (Attachment #2): There will be a Public Hearing for Lighting and Drainage on 9-26-19 at 6 PM. Discussion on Planning Commission bylaws (Attachment #3) will be added to the agenda after the public hearing if time permits.
5. **Old Business:**
 1. **Public Hearing discussion for 9-25; text — Lighting and Drainage** (Attachment #4) (**Smalley**): There was comments on the text of the lighting and drainage ordinances. Because the wording has already been published, it was decided that discussion and any possible changes would need to happen at the public hearing. Campbell provided commissioners with a “Recommended Light Levels” article with a chart describing brightness of various levels of foot candle measurements. (Attachment #6)
 2. **Bed & Breakfast (Smalley)** (Attachment #6): Commissioners discussed the proposed Bed & Breakfast Ordinance text, which incorporated changes discussed at the 8-15-19, and discussion with Adamson as requested at the August meeting. It was agreed they had a good start on the B&B Ordinance, and it will be put on a list of amendments for future discussion.
 3. **MUNICODE Update (Smalley):**
 1. **Handout ordinance book**
 - ii. **Policy/procedure for Ordinance distribution & return after no longer on PC:** Commissioners discussed how the

new Zoning Ordinance book is laid out and some of the options on the website version. Chairman Campbell noted that there are webinar classes available on the use of the Municode website.

4. **Master Plan—Survey/PC Bylaw review process (Campbell):** Campbell has been looking at other townships for ideas to get started on the Master Plan.
5. **Any old business that may come before the commission:** Bylaws will be discussed the evening of the Public Hearing, (Sept. 25) if time allows.
6. **New Business:**
 1. **Any new business that may come before the commission:**

Adamson asked if Rural Residential property could be turned back into AG if someone wanted to farm on the old golf course. ZA Smalley said farming is allowed in Rural Residential and therefore not a problem.

Fleming asked Smalley if she had been approached by anyone inquiring on the golf course property about uses that would not be allowed.

Smalley said the only uses people had inquired about were farming and a farm market with cabin camping. Cabins would be a building code and zoning nightmare because cabins do not fit well into the building codes. Smalley added there may be a boundary line adjustment in the future to allow access to 2 landlocked parcels if they are farmed.
7. **Administrative Reports:** The following reports were given
 1. Zoning Administrator Smalley provided her report (Attachment #7):
 2. Township Board representative Graff gave a report:
 1. Review/distribution to PC of monthly STR report (Attachment #8)
 2. Other items from the Board: Graff gave a report on the Board meetings including the board writing a support letter for Rural Gig, Casco Preserve maintenance was approved, SHAES Fire Chief Wise retired, developing a plan for drains in Miami Park, parking evaluation is being done on Columbine, jurisdiction of Lake Shore Drive in Miami has been given to Casco (section that has eroded and is closed). There was an update on Casco drain area. They are taking bids and work will be done over the winter and completed by Memorial Day. Library has received a \$110,000 grant.
 3. **Report from ZBA representative Hughes:** October 17th will be a ZBA meeting. For a property setback on 58 North Shore. The owner would like to repair an

existing foundation and an existing part of the home and add a 2nd story above it. The building is 2 feet from the property line.

4. **Water/Sewer representative Adamson:** Met in August. They discussed the Center Street project. The City will take ownership of a lift station off Kentucky once owners bring it up to the City's standards. There was a request to wave standby fees, which was denied. Water & Sewer bills will be going up by 9%. There will be a change on the printing of the bills. Where it is now called debt retirement the wording will be changed to being listed as payment to township debt.

8. **General Public Comment:** None

9. **Adjourn:** The meeting was adjourned at 8:50 PM.

Attachment #1: Agenda

Attachment #2: Calendar

Attachment #3: Planning Commission Bylaws (*available upon request*)

Attachment #4: Proposed Lighting & Drainage Ordinances

Attachment #5: Proposed Bed & Breakfast Ordinance

Attachment #6: Recommended Light Levels with table describing illumination of foot candle levels

Attachment #7: Zoning Administrator monthly report

Attachment #8: STR report

Minutes prepared by Janet Chambers, Recording Secretary

REGULAR MEETING
CASCO TOWNSHIP PLANNING COMMISSION
September 18, 2019
7 PM

1. Call to order
2. Review/Approval of Agenda
3. Interested Citizens in the audience will be heard on items **NOT** on the Agenda & Public Correspondence received (2 minutes each)
4. Approval of minutes:
 - a. 08/07/2019 Regular Meeting
5. Calendar review (Campbell)
6. Old Business:
 - a. PH discussion for 9-25; text – Lighting, drainage (Smalley)
 - b. Bed & Breakfast (Smalley)
 - c. MUNICODE Update (Smalley)
 - i. Handout ordinance book
 - ii. Policy/procedure for Ordinance distribution & return after no longer on PC
 - d. Master Plan–Survey/PC Bylaw review process (Campbell)
 - e. Any old business that may come before the commission
7. New Business:
 - a. Any new business that may come before the commission
8. Administrative Reports
 - a. Zoning Administrator (Smalley)
 - b. Township Board representative (Graff)
 - i. Review/distribution to PC of monthly STR report
 - ii. Other items from the Board
 - c. Report from ZBA representative (Hughes)
 - d. Water/Sewer representative (Adamson)
9. General Public Comment (2 minutes each)
10. Adjourn

Casco Township

Planning Commission

2019 Revised Calendar

6/17/2019

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

- *Regular meetings are scheduled for 3rd Wednesday of month. **Bold dates for February & August are 1st Wednesday and January 9th is the 2nd 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 17th, 2018 for a special/public hearing.

**CASCO TOWNSHIP
ALLEGAN COUNTY, MICHIGAN**

Ordinance No: _____

Approved Date: _____

Effective Date: _____

AN ORDINANCE TO AMEND THE CASCO TOWNSHIP ZONING ORDINANCE; TO AMEND SECTION 2.08 DEFINITIONS (G) ADD GLARE, ADD SECTION 3.41 EXTERIOR LIGHTING, ADD SECTION 3.43 GRADING AND FILLING, ADD SECTION 3.44 STORM WATER MANAGEMENT

CASCO TOWNSHIP, ALLEGAN COUNTY, MICHIGAN HEREBY ORDAINS:

Section 1. Amendment of Chapter 2. Section 2.08 – Definitions – G is amended to add the following defined term to read as follows:

GLARE

The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

GLARE, NUISANCE

Glare that creates an annoyance, aggravation, or discomfort but does not create a potentially hazardous situation.

GLARE, DISABLING

Glare that impairs visibility to the extent that it creates a potentially hazardous situation for either pedestrians or motorists.

Section 2. Add to Chapter 3. Section 3.41 Exterior Lighting is added to the Zoning Ordinance to include the following:

SECTION 3.41 EXTERIOR LIGHTING

All outdoor lighting fixtures in the LDR, LR-A, LR-B, MDR Zoning Districts shall be installed in such a manner as to:

- A.** Prevent direct light trespass across property lines and prevent light pollution that result in light glare, including nuisance glare or disabling glare.
- B.** Lamps and luminaries shall be shielded, hooded and/or louvered to provide a glare free area beyond the property line and beyond any public right-of-way.
- C.** The light from any illuminated source shall be installed so that the light intensity or brightness at any property line shall not exceed one foot candle.
- D.** There shall be no lighting of a blinking, flashing, or fluttering nature, including changes in light intensity, brightness or color. Holiday lighting is exempt.

- E. Ensure that direct light is confined to the subject property per Figure 3-4.
- F. Lighting fixtures shall have 100% cut off above the horizontal plane at the lowest part of the light source per Figure 3-5.

Figure 3-4

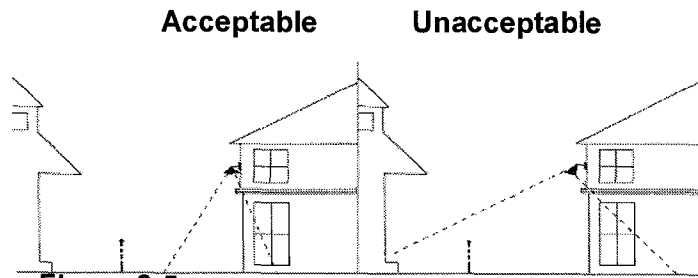
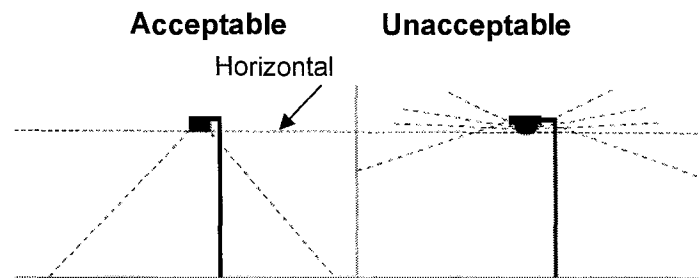


Figure 3-5



Section 3. Add to Chapter 3. Section 3.43 Grading and Filling is added to the Zoning Ordinance to include the following:

3.43 Grading and Filling

In order to protect adjacent properties, public roads, public water courses, and to provide adequate drainage of surface water, the following rules shall apply to all construction activities requiring a permit in the LDR, LR-A, LR-B, MDR zoning districts:

1. Flow restrictions: The final grade surface of ground areas surrounding a building or structure shall be designed and landscaped such that surface water flow away from the building or structure and is managed in a manner which avoids: (a) increased flow into adjacent properties or public roads, (b) the erosion or filling of a roadside ditch, (c) the blockage of a public water course or the creation of standing water over a private sewage disposal drainage field.
2. Elevation restrictions: Filling with earth or other materials of a parcel of land to an elevation above the established grade of adjacent developed land is prohibited unless an engineer certifies that the adjacent properties will not be affected by the raise in grade
3. Natural watercourses which provide drainage from or through a proposed site shall be maintained in a natural state, or as an open grass swale, unless design flow clearly warrants the enlargement of the watercourse or deepening of the drain.

Section 4. Add to Chapter 3. Section 3.44 Storm Water Management is added to the Zoning Ordinance to include the following:

3.44 Storm Water Management

Lots in all districts shall retain storm water run off on-site, or detain it so as to allow discharge without any impact on adjacent lands, streams or water bodies, above the existing predevelopment runoff impact.

Section 5. Effective Date. The foregoing amendment to the Casco Township Zoning Ordinance was approved and adopted by the Township Board of Casco Township, Allegan County, Michigan on _____, 2019, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended. This Ordinance shall be effective on _____, 2019, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Allan Overhiser,
Township Supervisor

Cheryl Brenner,
Township Clerk

D. Bed and breakfasts establishments

1. The use shall only be established in a detached single family dwelling.
2. The establishment shall be inhabited by the owner or innkeeper.
3. The establishment shall be directly serviced by public water and sanitary sewer services, or such private water and sanitary sewer systems approved by the Allegan County Health Department.
4. The establishment shall be located on property with direct access to a public road.
5. Parking shall be located to minimize negative impacts on adjacent properties. All parking areas shall be setback ten (10) feet from any side or rear lot line and there shall be a six (6) foot high fence between such parking area and any adjacent dwelling within fifty (50) feet of the parking area.
6. The number of guest rooms in the establishment shall not exceed **nine (9)** . Guest rooms may be in an unattached building located on the same property. Rooms shall not have a kitchen or bar sink. In no case shall the total number of guest rooms exceed nine (9).
7. One (1) sign shall be allowed for identification purposes. The sign shall not exceed sixteen (16) square feet in area, and may not exceed four (4) feet in height. If illuminated, the illumination shall only be of an indirect nature; internally lighted signs are not permitted. The sign shall be set back at least one-half (1/2) of the front yard setback area of the zoning district in which the use is located, and shall be located at least fifteen (15) feet from any side or rear lot line.
8. Accessory retail or service uses, including but not limited to gift shops, art studios, wine tasting, antique shops, and other uses may be permitted provided the retail and services are only for guest.
9. Meals may be served only to residents, employees, family members, and overnight guests.
10. Exterior refuse containers beyond what might normally be expected for a single-family dwelling are prohibited.
11. Any other federal, state, county or local permit that may be required must be obtained and copies of the permits be submitted to the zoning administrator. Including but not limited to, health department for kitchen, state license to operate the bed and breakfast.

D. Bed and breakfasts establishments

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11. Any other federal, state, county or local permit that may be required must be obtained and copies of the permits be submitted to the zoning administrator. Including but not limited to, health department for kitchen, state license to operate the bed and breakfast.

Deleted: The establishment shall be inhabited by the operator.¶

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(3), plus one (1) additional guest room for each ten thousand (10,000)¶ square feet or fraction thereof by which the lot area of the use exceeds¶ one (1)

Deleted: , bakeries

Deleted: ted provided they are cumulatively no more than three thousand (3,000) square feet in area.

Deleted: <#>No such use shall be permitted on any property where there exists more than one (1) other B&B establishment within seven hundred fifty (750) feet, measured between the closest property lines. ¶

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Recommended Light Levels

Recommended Light Levels (Illuminance) for Outdoor and Indoor Venues

This is an instructor resource with information to be provided to students as the instructor sees fit. Light Level or Illuminance, is the amount of light measured in a plane surface (or the total luminous flux incident on a surface, per unit area). The work plane is where the most important tasks in the room or space are performed.

Measuring Units of Light Level - Illuminance

Illuminance is measured in foot candles (*ftcd, fc, fcd*) or lux (in the metric SI system). A *foot candle* is actually *one lumen of light density per square foot*; *one lux* is *one lumen per square meter*.

- $1 \text{ lux} = 1 \text{ lumen} / \text{sq meter} = 0.0001 \text{ phot} = 0.0929 \text{ foot candle (ftcd, fcd)}$
- $1 \text{ phot} = 1 \text{ lumen} / \text{sq centimeter} = 10000 \text{ lumens} / \text{sq meter} = 10000 \text{ lux}$
- $1 \text{ foot candle (ftcd, fcd)} = 1 \text{ lumen} / \text{sq ft} = 10.752 \text{ lux}$

Common Light Levels Outdoors from Natural Sources

Common light levels outdoor at day and night can be found in the table below:

Condition	Illumination	
	(ftcd)	(lux)
Sunlight	10,000	107,527
Full Daylight	1,000	10,752
Overcast Day	100	1,075
Very Dark Day	10	107
Twilight	1	10.8
Deep Twilight	.1	1.08
Full Moon	.01	.108
Quarter Moon	.001	.0108
Starlight	.0001	.0011
Overcast Night	.00001	.0001

Common Light Levels Outdoors from Manufactured Sources

The nomenclature for most of the types of areas listed in the table below can be found in the City of Los Angeles, Department of Public Works, Bureau of Street Lighting's "DESIGN STANDARDS AND GUIDELINES" at the URL address under **References** at the end of this document.



The National Optical Astronomy Observatory (NOAO) is the U.S. national observatory operated by the Association of Universities for Research in Astronomy, Inc. (AURA) under cooperative agreement with the National Science Foundation (NSF).



Michigan Township Services Allegan

111 Grand
 Allegan, MI 49010

Invoice

Date	Invoice #
9/6/2019	3430

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

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
0.25	code enforcement 8/16 Anthony Hill, 7363 Center, camper, blight	50.00	12.50
0.25	8/5 Brian Peterson, 58 North Shore, lot coverage questions	48.00	12.00
2	8/6 office hours	48.00	96.00
1	8/7 PC packet	48.00	48.00
0.25	8/7 Roger Getman, 7136 103rd, land div and pond regulations	48.00	12.00
2	8/7 PC meeting	48.00	96.00
0.25	8/9 Cynthia Trapp, sunset shores min dwell regs	48.00	12.00
2	8/13 office hours	48.00	96.00
2	8/20 office hours	48.00	96.00
0.25	8/21 Adam Schaap, 522 A Ave, setbacks for an addition	48.00	12.00
0.25	8/21 Adam Schaap, Orchard Lake, 180-018/019-00 setbacks, lot coverage	48.00	12.00
0.25	8/21 Brenda, looking to move to casco twp, min dwell regs	48.00	12.00
0.5	8/22 7/17/19 PC approved minute packet for website	48.00	24.00
0.25	8/23 Steve Earls, more questions re-Golf Course, BLA, min road frontage	48.00	12.00
2	8/27 office hours	48.00	96.00
0.25	8/27 Rebecca Sinclair, sunset shores questions, 2 lots, buildable	48.00	12.00
		Total	

Michigan Township Services Allegan

111 Grand
 Allegan, MI 49010

Invoice

Date	Invoice #
9/6/2019	3430

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

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
0.25	8/28 Ken Porglose, rv regs and sheds	48.00	12.00
0.25	8/28 Gary, 7379 Northshore, landcape regs	48.00	12.00
0.25	8/28 Andy Klavis, 02-760-184-00 buildable lot questions	48.00	12.00
0.5	8/30 Packets & agendas PC 9-18 & 9-25 meetings	48.00	24.00
		Total	\$720.50

Finances

Registration Income:	<i>April, 2019 – Date</i>	<i>Spring, 2018 – March, 2019</i>
	\$34,125.00	\$21,400.00

Expenses	<i>April, 19 – Sept, 19</i>	<i>Spring, 2018 – Nov, 2018</i>
Host Compliance	\$7158.00	\$8553.00
Legal Expenses	\$0.00	\$675.00
SHAES Inspections	\$1875.00	\$300.00*
Printing	\$0.00	\$400.00
Mailing Expenses	\$72.50	\$1,400.00
Kathy's Time	\$3,068.98	\$3,800.00
Paul's Time	\$3,281.20	NA
Administrative Time	\$0.00	\$320.00
Website Support	\$470.00	\$600.00
Totals	\$15,925.68	\$16,048.00

Projected Expenses	<i>Oct, 19 – March, 20</i>	<i>Nov, 2018 – March, 2019</i>
Legal Expenses	\$2,500.00	\$1,025.00
Mailing Expenses	\$72.50	\$100.00
SHAES Inspections	\$1,250.00	\$00.00
Kathy's Time	\$4,000.00	\$2,300.00
Paul's Time	\$4,550.00	\$1,300.00
Administrative Time	\$0.00	\$1,300.00
Website	\$560.00	\$300.00
Totals	\$12,932.50	\$6,325.00
Year Totals	\$28,858.18	\$22,373.00

*Inspections were completed but we were never billed

*\$ correct
but incomplete
- why on*

Short-Term Rental Report 2019

Overview

Compared to 2017 and 2018, this has been a calm year with far fewer issues reported. There have been fewer party/noise issues, fewer trash issues, and fewer parking issues reported. The number of Hotline calls has been way down (from 102 to 28), and the Host Compliance system is working much better than last year.

The addition of Paul Macyauski as the Short Term Rental Compliance Manager has helped with both registration compliance and follow up on complaints. He worked with SHAES on inspections and tracked green emergency sign compliance.

Managing the registration process was simpler this year. Support tools were created last year, such as reminder letters, forms, mailing lists, and report formats. Procedures continue to be refined for efficiency, but it's working smoothly.

Last year we determined that we would focus some of our time on the following:

- Further enforcement
- Add subdivision to our spreadsheet to allow us to sort by subdivision/area
- Communicating with registered rental owners & contacts
- Making the registration process more efficient
- Improve process for responding to issues/complaints
- Determining the best way to follow up with callers

Over the past year, we have worked on all the above items and accomplished the following:

- With help from the Compliance Administrator we have 99% compliance for all known rentals.
- We added subdivision to our Permit List which has allowed us to publish the list of rentals on the website sorted by subdivision
- We created an owners email list and an emergency contact mailing list in addition to the owners snail mail mailing list. We sent communications via those lists, which saves the cost of paper, printing, and stamps.
 - Registration letter to owners
 - Add HC & Paul's numbers to you phone, sent to owners and Emergency Contacts
 - First Street Beach situation letter sent to owners
- We sent an email to all the emergency contacts and owners letting them know that they needed to put both the Host Compliance number and Paul's number in their phone so they could identify if Host Compliance was calling with an issue. That appears to have worked quite well. They are receiving the calls, acknowledging them, and the issues are being taken care of.
- Next year we will switch from mailing paper permits to owners to emailing .pdf versions of the permit, Good Neighbor Policy, and Thank you for registering note. This will save both time and money in the registration process.

- We have made significant improvements to the complaint process. Calls are coming through, and complaints this summer were resolved quickly. Streets are being matched, the emergency contacts are being called, and they are following through. Paul has been on scene very quickly for noise complaints.
- Callers appreciated the follow-up calls after the fact; it became a way to get more information about the situation, to share more information about what occurred, and a way to educate if appropriate.

Hotline & 911 Calls

This year there were a total of 27 calls; last year there were 94 issues reported. We can't definitively explain the reduction in complaints, but some possibilities include:

- Owners & agents emphasizing the need to quiet down at 10pm
- Fewer renters due to the high water/lack of beach
- Casco beginning to get a reputation for enforcing the rules
- Residents understanding trash, parking rules better
- State changes in Fireworks law
- Fewer general questions because it's year 2 vs. year 1

Number of calls by category of complaint

	2019	2018
Noise/disturbance	10	28
General questions	3	16
Green Signs/Stickers	0	10
Trash	7 (6 occurred 1/1-3/31)	9
Registration related	2	6
Parking	3	5
Dog related	0	4
Renting to too many	2	4
Smoke/fire pit	0	4
Trespassing	0	4
Renter (guest) calls	0	3
Fireworks	0	1
Totals	27	94

Casco Township Planning Commission

Future Text Amendment Tickle File

9-18-19 PC meeting

PH 9-25-19 Drainage issue / storm water retention

- _____ **Bed & Breakfast provisions – to discuss 9-18-19**
- _____ **Site Plan Review provisions / simplify; 17.03 C #1 clarify provision to be on site plan; 17.03 C #18 clarify easements**
- _____ **add Winery provision for SLU – postponed for further discussion**
- _____ **add Telecommunication provisions for internet antenna**

PH 9-25-19 Revise exterior lighting text

6-19-19 recreational fire pits – proposed text amendment was discussed; not an urgent matter; idea was ok'd to discuss in future for possible amendment.

_____ **review all special land use provisions for possible updates; make sure provisions are current with possible law changes, etc...**

_____ **MZEA updated March 2019, go thru ordinance for updates; revised definitions and new regulation – postponed future discussion**