

APPROVED 5-6-15

Regular Meeting of the Casco Township Planning Commission

April 8, 2015 - 7:00 PM

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

**ABSENT:** Judy Graff

**STAFF PRESENT:** Susan West, Recording Secretary

1. **Call to Order and review of agenda** - Meeting was called to order at 6:58 pm. There were no changes to the Agenda.
2. **Approval of minutes of 3/4/15 regular meeting** - Motion by Fleming, supported by Adamson, to approve the Minutes of the March 4, 2015 Regular Meeting as written. Changes/corrections will be made to the Minutes and approval of same will be voted on at the May 6, 2015 Meeting.
3. **Report from the Township Board Representative** – On behalf of the Planning Commissioners, Chairman Barker extended their sympathies to Judy Graff on the loss of her husband.
4. **Report from the ZBA Representative** – Macyauski reported that three applications for variances were heard last month.
  - A. An after-the-fact variance was granted for a pole barn that was built on a corner lot in the country on 62<sup>nd</sup> St. Fleming asked that if the variance was not granted, would the pole barn have to be removed. Macyauski answered that it would then become an issue for the Zoning Administrator. Fleming then asked if the granting of this Variance will lead to similar requests. Macyauski stated that each request is treated on its own merit. Macyauski stated that he has stated to Ellingsen that he believes there should be strict fines for building without a permit.
  - B. An after-the-fact variance was granted for an addition to an already non-conforming home. The addition does not extend past the previously built front porch.
  - C. Chairman Macyauski stated that he was informed by the Zoning Administrator that the request for a variance for a garage with living quarter upstairs was not properly closed. With two Commissioners voting in favor and two Commissioners voting against, the matter should have been tabled until such time as a fifth Commissioner was available to hear the matter and vote on same instead of denying the request. This matter is now scheduled to be adjudicated on April 16, 2015 at 7:00 pm.
5. **Report from Water/Sewer Representative** - Adamson reported as follows:

- A. Financially, things are good. There is approximately \$500,000.00 more in the checking account than this time last year. Chairman Barker asked whether the Spring bond payment has been made. Adamson answered that it has.
- B. The attorney has 8 required things that need to be completed before proceeding with the mandatory hook-up lawsuit.
- C. We are close to capacity (approximately 360,000 gallons of the 400,000 gallon maximum). This matter will be discussed with the City of South Haven. Campbell asked whether the 400,000 maximum included the City of South Haven. Adamson answered that it did not. Macyauski asked whether the City is part of the Authority and Adamson answered that it is not. Fleming suggested sending a letter to the residents making them aware of the situation so that they can limit the amount being added to the sewer system.

**6. Resolutions requiring Planning Commission action: None**

**7. Old Business - Small Homes:** Chairman Barker stated that he would like to propose that the Planning Commission curtail their discussion regarding this matter at this time considering that a request for same has not yet been made by anyone and if the matter did arise, it could go before the ZBA. Further discussion was had regarding small homes, including the following:

- A. Macyauski agreed that no further action should be taken at this time and that if after a second or third request is ever made, the Planning Commission could consider taking action.
- B. Chairman Barker stated that a lot of time has been spent on this matter and much more could be spent; but until there is a request, he believes there is not a reason to enact a law.
- C. Chairman Barker stated that Ellingsen has suggested that no action be taken at this time.
- D. Chairman Barker stated that in the medium density area, small homes might make sense in the future.
- E. Liepe inquired about the status of allowing duplexes in all areas. Chairman Barker stated that this matter was dropped and that if someone was interested in building a duplex, they could talk to Ellingsen regarding their options.
- F. Liepe stated that we need to remember that we work for the people of the Township and that we should continue to gather information on small homes. Chairman Barker stated that Ellingsen could be asked to create a file to keep all information in one place.
- G. Chairman Barker stated that there is the issue of the AG area verses the area along the lakeshore and that we should continue to gather information and to think individually about this matter. An overlay zone in the AG district might work.
- H. Macyauski stated that he would like to know how many unbuildable lots there are. Chairman Barker stated that Ellingsen should have this information. Macyauski

further stated that he believes the Planning Commission should address the issue of these lots first and that if an individual owns a 30' lot and comes before the ZBA, some accommodation needs to be made.

- I. Campbell stated that some individuals purchase a small lot just to have beach access and that they shouldn't be able to later request to build a house on that lot.
- J. Campbell stated that things should remain the same for now and that this was Ellingsen's recommendation from the beginning.
- K. Adamson asked how this matter would be "untabled" in the future. Chairman Barker stated that any Commissioner could bring the matter up in the future. Chairman Barker further stated that this matter is not being tabled because there has never been a motion made regarding same. Rather, discussion on this matter is being closed due to lack of need.
- L. Liepe asked that if all further information regarding small homes should be given to Ellingsen. Chairman Barker answered yes and that he will ask Ellingsen to create a file for same.

Chairman Barker asked for comments from the Commissioners:

- A. Fleming asked for the definition of social engineering. Campbell stated that social engineering is changing the Ordinances that have been in effect for many years. Further, Campbell stated that it is important for the Minutes of these meetings to clearly reflect the thoughts/ideas of the Commissioners for future review. Liepe stated that she believes social engineering is making changes that effect the social lives of the people that live here. Macyauski stated that he believes social engineering is zoning/making changes to improve lives.
- B. Campbell inquired whether the Planning Committee will get an annual report from Ellingsen reflecting how the changes in Ordinances have impacted him. Chairman Barker stated that this would be good information to present at the annual meeting. Campbell stated that he would like to have this information.

**8. Public Comment** – Chairman Barker asked for public comment and the following was made:

- A. Steve Malinowski, of 1160 Golfmere Dr., South Haven, MI 49090, asked why the issue of small homes came up. Chairman Barker stated that it was brought up by a member of the Planning Commission and that the Planning Commission had no real information on the issue. Macyauski stated that there were two separate issues. One was a way to accommodate the needs of a relative (i.e.: elderly parents, someone with special needs, a son or daughter, etc.). The other issue was building a small home on a lot. The discussions were never to allow two homes on one lot.
- B. Jake Hudson, of 7186 Orchard Lake Dr., South Haven, MI 49090, stated that the Commissioners should introduce themselves at the beginning of a meeting and that they should use name plates. Chairman Barker stated that he agreed and that they usually do, but just forgot this time.

- C. Bill Garrity, of 1188 Cherry Dr., South Haven, MI 49090, stated that he has concerns with allowing small homes and that he appreciated the way Chairman Barker explained the issue. Mr. Garrity further stated that he agreed with Chairman Barker in that he does not believe a unilateral change, without a widespread need, should be made.
- D. Fleming stated his concern that if the Planning Commission does not address this issue, a person with this need might not pursue same because he/she will assume that it can't be done or that it would be too hard to pursue. Chairman Barker stated that the Planning Commission has discussed this matter since October, 2014 and there hasn't been a request for a small home as of yet.

Motion to adjourn by Liepe, 2nd by Campbell. All in favor, MSC. Meeting adjourned at 8:17 pm

Minutes prepared by Susan West, Recording Secretary

Next Meeting: Regular Meeting on May 6, 2015 at 7:00 pm