

Approved 6/19/2019

**REGULAR MEETING OF CASCO TOWNSHIP PLANNING COMMISSION
May 15, 2019; 7 PM**

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

Absent: Vice Chair Dian Liepe

Staff Present: Janet Chambers, Recording Secretary

1. **Call to order/Review-Approval of Agenda:** Meeting was called to order by Chairman Campbell at 7:00 PM. There were no changes to the agenda. (Attachment #1)
2. **Interested Citizens in the audience will be heard on items NOT on the Agenda & Public Correspondence received:**

Graff said that Zoning Administrator Smalley has been doing a super job and has been very helpful to the PC. Graff had a discussion with Smalley prior to this meeting about the agenda being posted on the website. Their discussion included how the public could view materials that go out with the agenda. Smalley suggested at the bottom of each agenda it could say "Materials available at the Clerk or Zoning Administrator Offices."

Campbell said he does not mind putting that at the bottom of the agenda but would need someone to be responsible for getting the agenda posted on the website if that is what the PC decides to do.

Kevin Whiteford, a Casco citizen, said he and his wife have built on several properties but only one in Casco which is his residence. He has never requested a variance for any of his properties. He and his wife prefer to work within the rules. He recently purchased 19 acres on 68th Street and Baseline for the purpose of starting a sunflower farm. He would like a storage facility with underground drains, and possibly the option of animals in the future. The property would not be his principal residence. The Zoning Ordinance does not allow a pole barn on property without a residence. He spoke to the Supervisor who told him if it is strictly used for AG it could be allowed. Whiteford expressed to the commission that he has never requested a variance and prefers to live within the rules. He just wanted the PC to be aware that the ordinance does not allow a barn on property without a residence. He said he understands Casco would not want someone living in a barn but wants the PC to be aware that as the ordinance stands, he would be forced to build a house in order to use his property.

Fleming said getting a zoning variance would be working within the rules and Whiteford should not feel bad about that. Commissioners advised Whiteford to contact Zoning Administrator Smalley to find out the best way to proceed.

3. **Approval of minutes:**
 - a. **04/06/2019 Joint PC/Board Meeting:** A motion by Graff, supported by Fleming to approve the minutes of 4/6/2019. All in favor. Minutes approved with 2 changes. First on page 5, 3rd paragraph from the bottom changed as follows:

Supervisor Overhiser said while a survey is important *to avoid the appearance no matter how many times a survey is sent out, they are accused of doing the work in the back room.*

And on page 4, 3rd paragraph from bottom:

Getting the agenda determined in advance could be difficult. He stated he gets the agenda to commissioners by Friday night before a meeting ~~it could be posted to the website~~ *the agenda would be sent to PC members.*

- b. **04/17/2019 Special Meeting (Wood – Special Events Venue)** Motion by Graff, supported by Adamson to approve the minutes of 4/17/2019 Special meeting. All in favor. Minutes approved as printed.
- c. **04/17/2019 Regular Meeting:** Motion by Graff, supported by Adamson. All in favor. Minutes approved as printed.
- 4. **Calendar review (Campbell):** There was discussion about a possible date for Mr. Tittle's SLU. It was decided to have the meeting on the previously selected date reserved for special meetings. The meeting will be July 24th @ 6:00. Commissioners decided to stick to the calendar and see how things go. The calendar could include more dates in the future if necessary. The PC will keep track of how long these meetings run and how frequently they are requested to determine if changes need to be made.
- 5. **Old Business:**
 - a. **Public Comment on Old Business items:** None
 - b. **PC minutes posted at Casco Website:** Campbell said minutes are getting caught up on the website. There is still one more to be added.
 - c. **Municode update:** Campbell checked the Municode website. He noted they didn't have all the materials. The STR amendment 3.39 and Special Events Venue UU are not on Municode. There were some things that were not supposed to be on the Municode website that were there. Campbell will ask the Zoning Administrator to follow up on this.

Graff said somebody needs to check the site for errors. The agreement with Municode was once it is completed; Casco would be responsible for proof reading for errors. There was question as to who is going to check for accuracy on the Municode website. Commissioners thought the Zoning Administrator would maintain and monitor it.

- d. **Exterior Lighting Ordinance Update:** Fleming said the PC passed a lighting ordinance; the board turned it down. When the PC followed up with discussion after it was sent back to the PC by the Board. When it was returned to the PC there were 3 different opinions of whether it covered the whole township, residential areas, or just historical lots of record. The diagram was clear, but parts were confusing. Fleming said moving forward on other items the PC needs to be clear about what was passed and there needs to be a process.

Graff said things go on and on and suggested once a topic is started, finish it before moving for something else. She also said draft changes should be highlighted so the PC knows what changes were made, discuss them and get it done more efficiently. With the priority list the PC should be able to work on one thing and get it done, then move on down the list.

Fleming recommended working more with motions and voting.

Campbell said each topic is different, the procedure may be different.

Adamson said sometimes it is opened for too much additional input. Noting that some citizens have had very good input.

Campbell said the PC will deal with the process as it moves forward with the new Zoning Administrator.

Discussion turned to the "tickle list". Campbell brought a copy of an application for Recreational Fire Permits used in Grand Rapids (attachment #2) as an item the PC may want to add to the list of future items. Grand Rapids has a 20' setback requirement. Before applying for a permit, residents must talk to all neighbors within 120' of their home and the neighbors would have a chance to appeal. This would apply to all homes, not just STRs.

- i. **Proposed draft discussion:** The PC will look at Smalley's draft on lighting (Attachment #4) at the next meeting. Smalley will be asked to consider different sections that will be affected by the lighting ordinance.

e. **Discussion of PC Priorities:**

- i. **Graff list from 4/17/2019 [e.g., water trespass, etc.]:** Discussion ensued about the list that Graff made at the 4/17 meeting. It was decided that water trespass is a priority, higher priority than lighting.

Graff had a previous conversation with Smalley about how water trespass issue was dropped. It was originally up to Zoning to control. Then when it was taken over by the building codes and was dropped from zoning. Later the building codes dropped it and Casco did not pick it back up in zoning. Adding water trespass to zoning would help going forward.

A motion by Graff, supported by Fleming to make water trespass the first priority on the list. All in favor. MSC.

- ii. **Additional items from Commission members:** Graff said the Bed & Breakfast issue is also on the list. Information of State Bed & Breakfast Licenses (Attachment #5).

Graff said she had a conversation with Smalley about Wineries. Graff asked Smalley how Casco has two wineries if there was not a provision for Wineries in the ordinances? Smalley replied to Graff by email with an attachment of records she found on the two existing wineries. Smalley said one of the Winery's approval was not legal. Email and information sent to Commissioners in response to Graff's questions (Attachment #6).

Fleming said he would like to ask Smalley what was done incorrectly if a winery was not approved legally. We need to understand why it is not legal to be sure we don't make another mistake.

6. **New Business:**

- a. **Public Comment on New Business items:** None
- b. **Casco Short-term Rental (2019 kickoff) (Campbell)**

- i. **Possible legislative actions (HB 4554/HB 4555 thru HB 4564):** Campbell said the State is considering taking the right for township to prohibit STRs away. There is a series of 10 bills. Basically, the state would define a STR as anything for less than 30 days. A STR, if 14 days per year or less, would not have to report the income. The State is talking about setting a up statewide directory of homes considered STRs, requiring them to pay a use tax and all other expenses that go with operating a business. Each year STRs would need to file for a permit. They would need to have 1 million dollars in insurance coverage, be up to date on all taxes and assessments. They would fine an owner who violates the new law \$15,000 for each violation. A local unit of gov shall not have an ordinance that prohibits STRs. This is still in discussion.

Graff said NPR news said all decisions would be made at State Level. The proposal is heavily supported by renter and builder associations. St Joseph is fighting this and South Haven fought it. Local ordinances would not be more restrictive than what the state comes up with.

- ii. **Registration Process:**

1. **(Communication/Updating public):**

- iii. **Enforcement (Casco Boots on the ground/Electronic enforcement):**

1. **Casco enforcement officer (Campbell):** Macyauski is doing very good job as rental Enforcement Officer. There are still, this year and last year, rentals advertising for more than 12 occupants. There are also realtors telling people that children under 2 years do not count toward the maximum of 12 occupants. This is not true and STR Enforcement Officer Macyauski is checking into this.

2. **Casco Township (Campbell):** There has been some problems keeping the list of registered STRs updated.

- iv. **Casco Resources & Hidden Treasures (STR Enforcement Officer welcoming handout):** Mary Campbell has put together information on things for visitors to do in Casco. She has called local farmers and asked if they would be interested in being added to her "Casco Resources & Hidden Treasures." She is asking for the information she has compiled to be on the Casco website.

- c. **Annual meeting (April 6th) with Casco Board (Campbell):**

- i. **Takeaways – Survey/process:** Chairman Campbell said the most important thing he took away from the Joint Meeting about the Master Plan update discussion was starting with a survey. Campbell plans to discuss this with the Supervisor. On the last survey there were about 2000 people who answered it, which was a 38% response. Which is considered a good response rate. Campbell pulled an analysis of housing in Casco Twp. from 2017, which he will share at next meeting. There were 2,030 homes, split into categories of occupied and vacant housing. There is occupied not seasonal, vacant, full time residence, etc.

Discussion: Discussion ensued about what questions to ask and what the PC could learn from various questions. Some are people who occupy 20 times a year, some owner occupied, some legal residents, some part-time occupied, etc. If you get really complex in a survey, what are you going to learn? Registered voters vs non-registered, etc. What information does the PC hope to learn. Other questions to consider are if Casco should hire a survey to be done or come up with their own? The survey needs to be done before a lot of time is spent reviewing the Master Plan.

Knisley said another thing to consider is whether the township went the direction of the last Master Plan. What is the goal of the Master Plan?

Campbell said the township has reached a point where it is developing a significant strip of the township. People coming in have different expectations.

Knisley said in the top 5 things in the current MP was to be an AG community.

Campbell recalled a large Blueberry Farm was not happy with transients coming in with the Campground.

Knisley noted younger families are not getting into farming. Farming is becoming larger operations.

Fleming said land is not allowed to be divided and ends up in fewer and fewer people's hands. Regulations are having an affect on how it is going.

7. Township Report:

- a. **Report of Zoning Administrator (Smalley):** Not present
- b. **Report from Township Board representative (Graff):** Next week Monday is the next board meeting
- c. **Report from Water/Sewer representative (Adamson):** There has been a meeting. They handled an appeal. They gave an easement by the water tower to someone who needed a drive. They had a financial report. They talked about summer rentals and it was decided not to give renters a summer sewer credit for sprinkling because they are a business.
- d. **Report from ZBA representative (Hughes):** There was ZBA meeting on May 2nd. Michael Bannister, property owner in Glenn Shores, requested a variance for 2 side yards. The lot was oddly shaped, and he wanted to build a garage. Runoff was not going to affect neighbors. The ZBA approved the garage with two 5' side yard setbacks.

8. Adjourn: The meeting was adjourned at 8:50.

- Attachment #1: Agenda
- Attachment #2: Recreational Fire Permit Grand Rapids
- Attachment #3: Tickle list
- Attachment #4: Smalley's proposed lighting ordinance draft 5/15/19
- Attachment #5: Michigan State Licensing of Bed & Breakfast
- Attachment #6: Smalley's response to questions about wineries
- Attachment #7: Ganges Township Zoning on Winery
- Attachment #8: Smalley's April hours

Minutes prepared by Janet Chambers, Recording Secretary

REGULAR MEETING OF CASCO TOWNSHIP PLANNING COMMISSION
May 15, 2019
7 PM

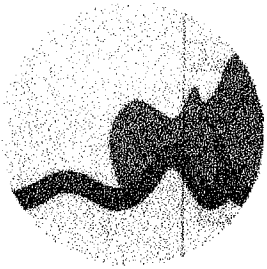
1. Call to order/Review-Approval of Agenda 5 min.
2. Interested Citizens in the audience will be heard on items **NOT** on the Agenda & Public Correspondence received (2 minutes each) 10 min.
3. Approval of minutes: 10 min.
 - a. 04/06/2019 Joint PC/Board Meeting
 - b. 04/17/2019 Special Meeting (Wood – Special Events Venue)
 - c. 04/17/2019 Regular Meeting
4. Calendar review (Campbell) 10 min
5. Old Business:
 - a. Public Comment on Old Business items (2 minutes each) 10 min.
 - b. PC minutes posted at Casco Website (Smalley) 5 min.
 - c. Municode update (Smalley) 5 min.
 - d. Exterior Lighting Ordinance Update (Smalley) 10 min.
 - i. Proposed draft discussion
 - e. Discussion of PC Priorities (Grant) 15 min.
 - i. Grant list from 4/17/2019 [e.g., water trespass, etc.]
 - ii. Additional items from Commission members
 - iii. Next steps
6. New Business:
 - a. Public Comment on New Business items (2 minutes each) 10 min.
 - b. Casco Short-term Rental (2019 kickoff) (Campbell) 15 min.
 - i. Possible legislative actions (HB 4554/HB 4555 thru HB 4564)
 - ii. Registration Process
 1. (Communication/Updating public)
 - iii. Enforcement (Casco Boots on the ground/Electronic enforcement)
 1. Casco enforcement officer
 2. Host Compliance
 - iv. Casco Resources & Hidden Treasures (STR Enforcement Officer welcoming handout)
 - c. Annual meeting (April 6th) with Casco Board (Campbell) 15 min.
 - i. Takeaways – Survey/process
 - ii. Discussion
7. Township Reports 20 min.
 - a. Report of Zoning Administrator (Smalley)
 - b. Report from Township Board representative (Graff)
 - c. Report from Water/Sewer representative (Adamson)
 - d. Report from ZBA representative (Hughes)
8. Adjourn

FY2020 Preliminary Fiscal Plan Released

Our preliminary budget offers a detailed breakdown of our proposed City financial plans for the upcoming fiscal year and the following four years. Fiscal year 2020 begins July 1, 2019.

[View the Plan](#)

(<https://www.grandrapidsmi.gov/Government/Departments/Budget-Office/FY2020-Preliminary-Fiscal-Plan>)



City of Grand Rapids



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Apply for a Recreational Fire Permit

Do you want to have a recreational fire? You can apply for a Recreational Fire Permit if your property meets certain requirements. To balance the needs of our citizens, the City allows recreational fires by permit only. Before you apply, please review our [Recreational Fire Guide](#)

CONTACT US

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Casco Township Planning Commission
Future Text Amendment Tickle File

_____ **Drainage issue / storm water retention**

✓ _____ **Bed & Breakfast provisions**

_____ **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**

_____ **add Telecommunication provisions for internet antenna**

_____ **revise exterior lighting text**
