

Approved 6/17/2020

Public Hearing  
Casco Township Planning Commission  
Special Land Use  
May 20, 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, Greg Knisley

**Absent:** None

**Also present:** Zoning Administrator Tasha Smalley, applicant Peter Klein and Mike Kenat who will be working with Klein and Recording Secretary Janet Chambers

1. **Call to order:** The meeting was called to order at 6 PM.
2. **Review and approve agenda:** Motion by Knisley, supported by Hughes to approve agenda. Roll call: Campbell yes; Adamson yes; Litts yes, Fleming yes, Knisley yes, Hughes yes, Graff yes. MSC. 7-0
3. **Public Comment – other than agenda items:** None
4. **Reading of the Public Hearing Notice:** (Attachment #1) Chairman Campbell read the public notice published in South Haven Tribune on May 3, 2020.
5. **Open Public Hearing**  
**Seedling / Peter Klein 6717 111<sup>th</sup> Ave., 02-004-009-00**  
**Special Events Venue**
  - a. **Applicant present brief description of proposal:** Peter Klein first brought this up over a year ago, He is the owner of Seedling Farms, 6717 111<sup>th</sup> on 81 acres. He has done events in the past. He wants to do a handful of farm-to-table outside dinners this year to get people to his farm. He would like to do about 8 this year. Being outside, he can set tables for social distancing. Mike Kenat has run these dinners in the past is present to hel answer any questions..
  - b. **Public Comment:** None
  - c. **Planning Commission comments / questions:** Campbell had questions he submitted in advance. One question was about an alcohol license. The answer is Klein is not getting an alcohol license. If the person he is running the event for wants alcohol, they would go through the person serving the alcohol.

Graff questioned who is sponsoring the dinner? Kenat said it is being run through Seedling Farm. Knat said if he catered the event and he would use his restaurant's alcohol license.

Campbell said another question is about amplified music. Klein indicated he is not interested in live bands or amplified music. Campbell told Klein if he should change his mind and wanted amplified music, he would need to come to the Zoning Administrator so she could verify he is within the sound limitations.

Another question Campbell had was how rubbish would be taken care of. Klein said he normally would burn rubbish but realized it would be better to hire republic or another company to take care of it. Kenat added he could take garbage back to his restaurant and dispose of it there.

Campbell noted that Klein had a facility for staff and asked what guidance there would be on Covid 19 virus protection. Klein said whatever the state guidance is at the time of an event is what he will follow, being face masks or sanitizer or whatever is required.

Graff asked the ZA if something needs to be put in about following things at the State level? Kenat said an inspector would come out for each event, check things out to see if they are adhering to state standards and see the menu. Kenat said an inspector would be coming out and inspecting and looking over the menu.

Graff asked if this is done for every event. Kenat said it would be a temporary license for an event. If an event was going on for two nights with the same menu, it might be inspected only one time.

Campbell asked if the plan was for 2 nights per weekend for 4 weeks, would there be one permit for the 4 events. Kenat said the permit would have a start and end date. Most likely per weekend.

- d. **Final comments / questions:** Peter Klein said he has done outside dinners before and was popular. He feels this may be more popular in the time of social distancing.

Graff agreed this may be a good thing right now with the flexibility of being outdoors and easier for social distancing.

6. **Close Public Hearing:** A motion by Graff, supported by Litts to close the public hearing. Roll call: Campbell yes, Adamson yes, Fleming yes, Litts yes, Knisley yes, Hughes yes, Graff yes. MSC Public Hearing closed at 6:18 PM.
7. **Discussion and decision:** 15.03 special use standards for special events venue A motion by Hughes, supported by Adamson that because commissioners have each gone through this separately prior to the meeting, they could vote on the Standards as one motion rather than each individual item. Roll Call: Campbell yes, Adamson yes, Fleming yes, Litts yes, Knisley yes, Hughes yes, Graff yes. MSC

Commissioners looked over the ZA comments and standards.

A motion by Hughes, supported by Knisley that because Chapter 15 Standards have been met and the applicant is in compliance with the Special Use General Review and Specific Use Standards the Special Events Venue be approved with the following conditions: 1) A SHAES review be done 2) No street parking. 3) If amplification is used the ZA would need to approve. 4) Must have proper licensing for any alcohol. 5) There is not to be new construction for the purpose of the Special Events Venue. 6) A copy of required licenses permits and approval for regulatory agencies be provided to the Zoning Administrator within 15 days of receiving them. Roll call: Campbell yes, Adamson yes, Fleming yes, Litts yes, Knisley yes, Hughes yes, Graff yes. MSC.

Commissioners move on to Chapter 17 Site Plan Review 17.03C. Graff said she was good with all of them. Campbell agreed.

Campbell said 17.07 A-T and the Zoning Administrators comments all look good.

A motion by Knisley, supported by Graff to approve the Site Plan application because the applicant has met the Site Plan Review requirements in 17.03 C, and Review Standards 17.07. Roll Call: Campbell yes, Adamson yes, Fleming yes, Litts yes, Knisley yes, Hughes yes, Graff yes. MSC.

A motion by Knisley, supported by Graff to amend the previous motion to include Parking in Chapter 18.03 as a 7<sup>th</sup> condition. Roll Call: Campbell yes, Adamson yes, Fleming yes, Litts yes, Knisley yes, Hughes yes, Graff yes. MSC.

8. **Adjournment of Public Hearing session:** Public Hearing adjourned at 6:48 PM.
9. **Open regular scheduled Planning Commission meeting:**

Attachment #1: Notice of Public Hearing  
Attachment #2: Zoning Administrator Memorandum  
Attachment #3: Application, Photos & maps

Minutes prepared by Janet Chambers, Recording Secretary

**Public Hearing**  
**Regular meeting immediately after**  
**Casco Township Planning Commission**  
**Special Land Use**  
~~March 18, 2020~~ *May 20 2020*  
**6:00PM**

✓ 1. Call to order

2. Review and Approve agenda

3. Public Comment – other than agenda items; please keep comments to no more than 2 minutes

4. Reading of the Public Hearing Notice

5. Open Public Hearing

Seedling / Peter Klein 6717 111<sup>th</sup> Ave. 02-004-009-00  
Special Events Venue

Applicant present brief description of proposal ✓

Public Comment – Please keep comments to no more than *none*  
2 minutes per person

Planning Commission comments / questions ✓

Final comments / questions

6. Close Public Hearing *close 6:17*

7. Discussion and decision

8. Adjournment of Public Hearing session *6:50*

9. Open regular scheduled planning commission meeting

**CASCO TOWNSHIP PLANNING COMMISSION  
ALLEGAN COUNTY, MICHIGAN**

**NOTICE OF INTENT (POSSIBLE) TO USE A VIRTUAL PLATFORM  
FOR PUBLIC HEARING**

TO: THE RESIDENTS AND PROPERTY OWNERS OF CASCO TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that the Planning Commission of Casco Township will conduct a public hearing and regular meeting concerning the following matters on Wednesday, May 20, 2020 at 6:00 p.m. at the Casco Township Hall, 7104 107<sup>th</sup> Ave, South Haven, MI 49090, within the Township.

PLEASE TAKE NOTICE if Executive Orders 2020-42 and 2020-48 are not lifted by this meeting date, this meeting will be held electronically pursuant to the Open Meetings Act and Governor Whitmer's Executive Order 2020-48. Pursuant to Executive Order 2020-48, the Township gives notice of the following:

1. Reason for Electronic Meeting. The Board is holding its meetings by electronic means only because, pursuant to Executive Order 2020-42, the Township Hall is closed to the public, residents must remain at home or in their place of residence to the maximum extent feasible, and all in-person government activities have been suspended except for critical infrastructure workers and workers necessary to conduct minimum basic operations.
2. Procedures. The public may participate in the meeting electronically and may make public comment: Casco Township website [cascotownship.info](http://cascotownship.info) Homepage will have the link and specific log in information, or call Zoning Administrator, 1-800-626-5964 for information.

PLEASE TAKE FURTHER NOTICE that the item(s) to be considered at said public hearing include the following:

Seedling Real Estate LLC of Chicago IL has petitioned for a Special Land Use for Special Events Venue at 6717 111<sup>th</sup> Ave (0302-004-009-00).

Any other business that may come before the Planning Commission

PLEASE TAKE FURTHER NOTICE that the application can be reviewed by contacting the Zoning Administrator 1-800-626-5964 or [mtsallegran@frontier.com](mailto:mtsallegran@frontier.com) and will also be available at the time and place of the hearing.

PLEASE TAKE FURTHER NOTICE that written comments will be received from any interested person concerning the foregoing by the Township Clerk at the address set forth below, or by email to the Township Clerk [cascoclerk@gmail.com](mailto:cascoclerk@gmail.com) up to the date of the hearing and will also be received by the Planning Commission at the hearing.

Casco Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the hearing upon seven (7) days' notice to the Casco Township Clerk. Individuals with disabilities requiring auxiliary services should contact the Casco Township Clerk at the address or telephone number listed below.

Cheryl Brenner  
Casco Township Clerk  
7104 107<sup>th</sup> Ave, South Haven MI 49090  
269-637-4441

Tasha Smalley  
Zoning Administrator  
1-800-626-5964

Memorandum: Casco Township Planning Commission  
Date: February 19, 2020  
From: Tasha Smalley, Zoning Administrator  
RE: Special Use Permit & Site Plan Review – Special Events Venue

Owner: Seedling Real Estate LLC  
Owner address: 1943 W Melrose St, Chicago IL 60657

Representative: Peter Klein

Subject 6717 111<sup>th</sup> Avenue, Casco Township  
Parcel #: 0302-004-009-00

AG - Agricultural District  
5.03 District Regulations  
Minimum lot area – 2.5 acres  
Minimum lot width - 250 ft  
Front setback - 50 feet  
Rear setback – 50 feet  
Side setback – 50 feet  
Lot coverage - 20%  
Maximum building height - 35 feet

Chapter 15 Specific Use Regulations, 15.03 UU Special Events Venue  
Chapter 17 Site Plan Review  
Chapter 18 Parking

Analysis

Property 0302-004-009-00 is a legal pre-existing conforming lot of record  
Lot area 76 acres; approx 1180x2810

Proposed project/s:

1. Special Events Venue
2. Proposed events; outside farm to table dinner experience

Setbacks:

Event building – more 50 feet ROW, 50 feet any dwelling on another lot  
Parking – 65 feet ROW

Special Use Requirements – Special Events Venue UU 1- 12

1. yes, owner lives on property; representative Pete lives on property
2. yes, lot is 76 acres
3. will comply, required license(s) shall be submitted for the file after issued
4. yes, hours 7a-10p
5. SHEAS regulations will be complied with
6. music will be in compliance of the noise ordinance
7. provided, meets more than 50 ft requirement
8. provided, meets more than 50 ft requirement
9. provided; will comply
10. Porta Johns will be provided for events. *(the Plumbing Inspector is the permitting and approving body for restrooms, not the health depart. The Health Dept would issue a permit if a new septic/well is required)*
11. meets parking requirements
12. driveway is existing

Yes  
No comments

Review Standards 15.02C

1. a. yes **b. this is subjective**  
c. public services will be met **d. this is subjective**  
e. yes. Plan is to keep natural.
2. standards for special events venue stated above
3. May impose conditions for approval

Yes  
No comments

Site plan review 17.03C 1-29

- #1 - #7 provided
- #8 – 7 existing buildings; 4 (or less) acres of improved; bldgs, driveway, etc
- #10 – #11 n/a no construction proposed
- #12 – driveway existing; 30 ft approach and 12+ ft of improved surface
- #13 n/a
- #14 provided
- #15 n/a
- #16 provided
- #17-19 n/a
- #20 – all existing landscape/grass/trees; no new construction
- #21 provided
- #22 n/a
- #23 provided
- #24 n/a
- #25 – provided
- #26 n/a
- #27 – could be site plan approval condition? No new construction.
- #28 - #29 n/a

Yes  
No comments

Review Standards 17.07

- A. **subjective**
- B. yes, public services will be met
- C. little to no improvement made for this project. D. drives designed to promote safety
- E. driveway is existing
- F. fire dept has not reviewed yet
- G. No screening or fencing proposed / noise and glare subjective. H. yes
- I. keeping property natural. *PC may require buffer.*
- J. N/A property, building already established. K. Drain Comm n/a
- L. N/A property, building already established. M. n/a N. n/a
- O. no buffering, screening, fencing proposed.
- P. all lighting will shine down, and minimize light pollution.
- Q. No light shown to be on sign
- R. Property is AG not residential
- S. Standard condition: see below
- T. yes.

Parking 18.03

- 55 spaces provided
- Parking area will remain natural grass.
- Parking space 9x20

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**Possible Approval Condition, this is just a standard condition, you may require more:**

- x alcohol*
- Required licenses, permits and approval from regulatory agencies be provided to Zoning Administrator within 15 days of issuance.
- No on-street parking
- Fire dept review and approval
- *If music need review for noise*
- *no new construction*



Rec'd 2-18-20  
Pd ch #1376?  
@ 700 -  
J.S.

**Casco Township**  
7104 107<sup>th</sup> Avenue  
South Haven, Michigan 49090  
(269) 637-4441 / Fax (269) 639-1991

SITE PLAN REVIEW/SPECIAL USE/PUD APPLICATION & REQUIREMENTS

1. Applicant Information:

Name SEEDLINA  
Address 6717 111<sup>th</sup> Ave City South Haven State MI Zip 49090  
Telephone 223 412 5831 Fax \_\_\_\_\_  
Person in charge of project PETE KAN / MIKE KENANS

2. Property Information:

Address: 6717 111<sup>th</sup> Ave, South Haven  
Parcel #: 0302-004-009-00 ; Do you own the parcel? Yes ; No \_\_\_\_\_  
Current Zoning A6 Conforming use in zone? Yes ; No \_\_\_\_\_  
Other action required?: Variance \_\_\_\_\_ ; Re-zone \_\_\_\_\_ ; Special Use VA MM 218 Amendment

3. Type of improvement (Check as many as applicable)

New Building \_\_\_\_\_ Addition \_\_\_\_\_ Condominium \_\_\_\_\_ Site Condominium \_\_\_\_\_  
Open Space Dev. \_\_\_\_\_ Subdivision \_\_\_\_\_ PUD \_\_\_\_\_  
Other(Describe) POP UP MENU SERVICE

4. Engineer or Surveyor Information:

Name N/A Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_ License # \_\_\_\_\_

5. State proposed use of property:

A SEASONAL POP UP RESTAURANT - NAMED SEEDLINA CIDER SHACK

6. Provide site plan as per Chapter 17 of the Casco Township Zoning Ordinance.

Did you receive a copy of Chapter 17 and the Checklist? Yes \_\_\_\_\_ ; No \_\_\_\_\_

Provide information requested in Chapter 15 if Special Use.

Provide information requested in Chapter 16 if PUD.

Provide information requested in Section 15.04(Z) if Open Space Preservation project.

7. Provide a brief narrative describing the items listed in Section 17.03(a) and the following:

- a. Types and size of structures to be erected.
- b. Timetable regarding stages of project and completion date.
- c. Any objective or subjective information you wish to convey to the Planning Commission.

Applications with completed site plan and other required information must be filed with the Zoning Department at the Township Office 35 days before the scheduled Planning Commission meeting. All amended site plans must be submitted at least 21 days before the meeting or the hearing/ review will not be held. All applicable fees must be paid at that time. By signing this application, I agree to pay all applicable fees and costs associated with the site plan review process as detailed on the reverse of this application.

I hereby authorize Casco Township Planning Commission members and Township staff to inspect the proposed site at their discretion.

Applicant Signature [Signature] Date 2/12/20

For Office Use: Date Rec'd: \_\_\_\_\_ ; Fee Rec' \_\_\_\_\_ ; Fee Amt. \_\_\_\_\_ Hearing Date \_\_\_\_\_

Remark : \_\_\_\_\_



TM

**Special Use Permit Application**  
**Seedling Fruit**  
**Pop up dinners; Seedling Cider Shack tm**

Last year, we presented to the committee to get an amendment added to the Zoning Ordinance to allow us to offer pop up dinners on a more regular basis in our ag zoned orchard.

Section 15.03, Specific Use Standards, now include UU for Special Events Venue. It is under that section, we would like to offer occasional pop up dinners on the orchard this fall.

These dinners will be in the fall only and focus on apple cider & fall fruit. Based on the community style of dining most associated with Canada's maple syrup farms. Those are called Sugar Shacks, and are well known for great food, a great time and highlighting the region's products. Our dinners will be in the same spirit and incorporate cider & fall produce into every course - and will be called Seedling Cider Shack. A name we have even trademarked.

For several years now, we have worked with a California based company called Outstanding in the Field. They sell, run and organize farm dinners around the world. The concept is classic farm to table - family style, outdoor table, outdoor cooking for guests to enjoy the farm and food from the farm. This concept has proved insanely popular. Not only do the guests immensely enjoy the event, but it often brings hundreds of additional people to town looking for entertainment and lodging.

Our dinners will be in this style...a roving farm dinner based on guest counts, weather and in season produce to highlight and maintain the rural and agricultural nature of our region.

Obviously, with the increase in agri-tainment, providing additional reasons for folks to visit the area is a bonus. Additionally, we plan on using produce, beverages, wines from our neighbors to further highlight the bounty.

As you can see in the enclosed pictures, we have no set structure for the event. We plan on seating & cooking outside to let guests enjoy the beautiful farm and (hopefully) beautiful weather.

**Section 15**

Our plan is to do approximately 8 dinners this year in August & September. We'd like to offer 2 dinners per weekend, 4 times over those 8 week fall period. Ideally, we would serve about 100 people family style at each event.

We have found that these meals work best when we are nearing the end at sunset. Consequently, dinners will start early afternoon and end soon after sunset. This allows guests to see the property in daylight and enjoy a gorgeous Michigan sunset. Times may vary over the course of the season depending on sunset times. But will always be done well before the 10:00pm cutoff.

As we have done for previous OITF dinners, we plan on working with Chef Mike Kenant @ Salt of the Earth Fennville for meal prep and storage. Chef Kenant and Salt of the Earth have cooked at these events with us before so know the routine. And they have cooked many events (weddings, parties, etc) at outdoor venues so are well equipped to handle the dinners. On the spot cooking would be done at farm outside on grills and outdoor ovens. Chef Kenant follows the public event template from his kitchen to ensure the safety of all the food prep.

As we have done in the past, outdoor tables will be set up in various locations depending on weather & guests. The enclosed google map shows the expected locations for our table, parking and such. As stated, we plan on the locations being mobile to maximize guest enjoyment.

That is a short walk from parking, and cooking will be close and visible.

Parking is easiest on the space in front of the old house.

For this year, we will bring in portable toilets and hand wash stations for the guests. Toilets will be serviced every evening and returned when events are not in progress.

Again, I refer to the organization, structure and cleanliness of our 20 OITF dinners for guidance. Chef Kenant has run these dinners 3 times on our property and is well equipped to help manage them with additional staff.

By not putting in permanent structures at this time, it allows us to maximize seasonal produce and maximize the orchard beauty to enhance the experience for the guests. In addition, we can test & adjust concepts this season to be successful and profitable.

Sample MENU is attached.

#### Section 17

As I previously stated, no permanent structures will be built at this time.

We have a variety of 10 x 10 tents & 20 x 20 tents to use where necessary. Cooking will take place on a variety of grills, fire pits and outdoor induction burners if necessary. Tables and Chairs will be portable so we can move and arrange as necessary.

Hand Wash stations for chefs and guests will be provided as well as dish pit cleaning and sanitizing stations. There is on demand hot water connected to the cider mill...we will be able to use that to ensure hot water as needed for cleaning and sanitizing.

We currently manage our own garbage with composting and burn piles. All recyclables will be carried out. If we find the quantity of waste too much for this, we will arrange garbage bins and garbage pick up.

As previously stated, we plan on toilet and hand wash rentals with servicing per event.

We plan on parking on the South lawn in front of the old house. This has proven quick and easy for previous events and allows us to keep the farm and orchard more pristine for guest enjoyment.

As with previous events, the 81 acre plot provides plenty of space for all these activities, and noise never reaches the street.

# Cider Shack

*Welcome to the Cider Shack!*

*Where we welcome you to enjoy the crops of the fall and the excitement of our cider mill.  
All dishes feature the fall products from this very farm.*

*Enjoy!*

## First

### Apple Mojito Shooter

*Spiced Rum – Mint – Apple Sugar Rim  
Seedling Farms – New Holland Distillery*

## Second

### Apple Squash Bisque

*Delicata Squash – Golden Delicious – Mutsu Cider – Spiced Candied Walnut  
Seedling Farms – Crisp Country Acres*

## Third

### Chevre Panna Cotta

*Arugula – Cider Poached Gala – Honey Cider Vinaigrette  
Evergreen Lanes Creamery – Seedling Farm – Vertical Paradise Farm*

## Fourth

### Chicken Duo

*Confit Thighs – Apple Thyme Chicken Sausage – Pickled Gala Apples – Cider Poached Butternut  
Squash – Apple Cider Gastrique  
Heffron Farms – Seedling Farms – Crisp Country Acres*

## Fifth

### Slow Roasted Porchetta

*Braised Jonagold – Caramelized Onion – Bacon – Mutsu Cider Jus Lie – Tarragon  
Coach Stop Farms – Seedling Farms – Crisp Country Acres*

## Sixth

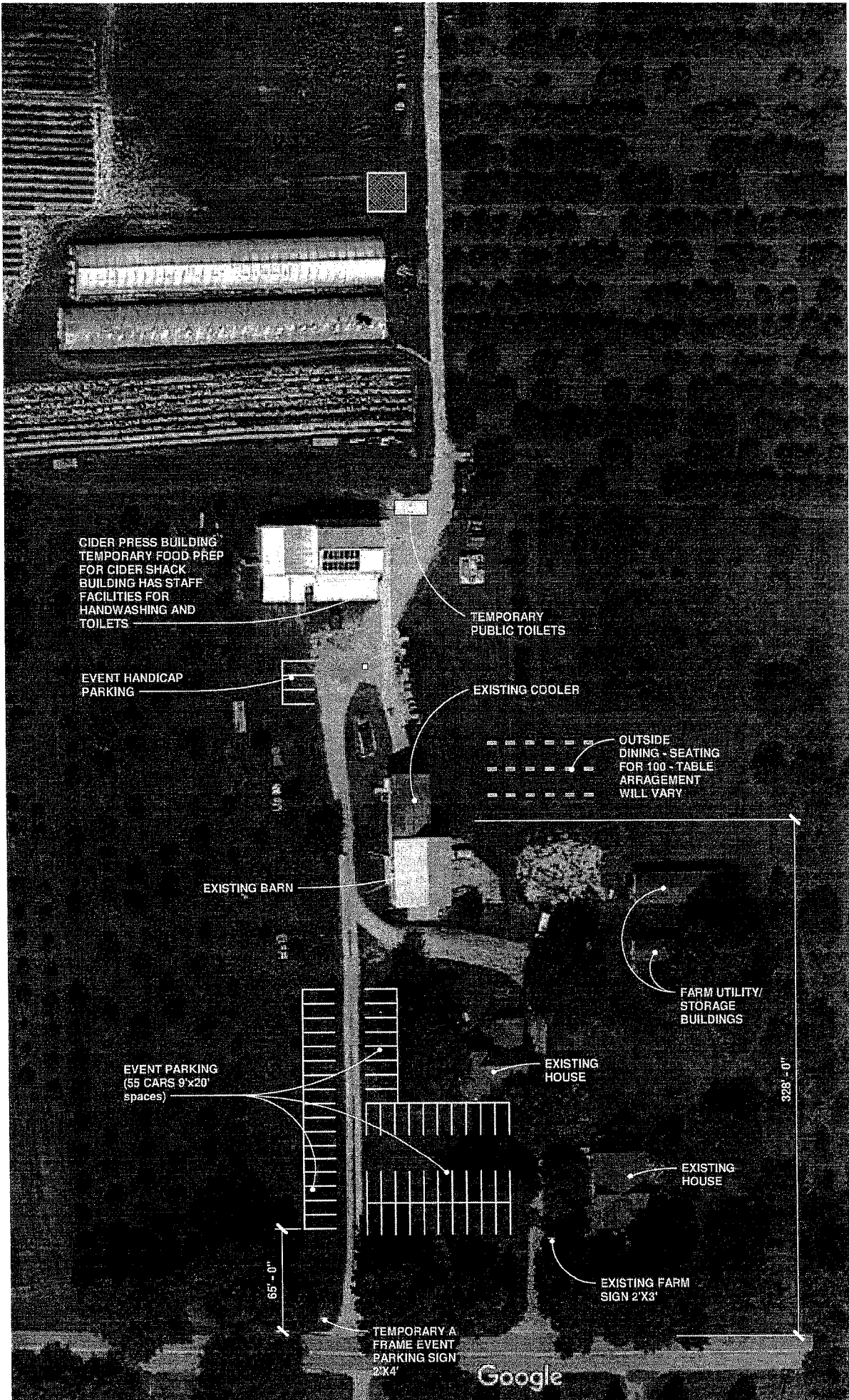
### Apple Entremet

*Honey Crisp Cider Caramel – Apple Syrup Mousse – White Chocolate – Graham Crumble  
Seedling Farms – Great Lakes Gourmet*

*Inaugural Cider Shack Dinner*

*Guest Chef: Mike Kenant, Salt of the Earth, Fennville  
\$100/per person*

Approved  
9c  
5-20-20



CIDER PRESS BUILDING  
TEMPORARY FOOD PREP  
FOR CIDER SHACK  
BUILDING HAS STAFF  
FACILITIES FOR  
HANDWASHING AND  
TOILETS

TEMPORARY  
PUBLIC TOILETS

EVENT HANDICAP  
PARKING

EXISTING COOLER

OUTSIDE  
DINING - SEATING  
FOR 100 - TABLE  
ARRANGEMENT  
WILL VARY

EXISTING BARN

FARM UTILITY/  
STORAGE  
BUILDINGS

EVENT PARKING  
(55 CARS 9'x20'  
spaces)

EXISTING  
HOUSE

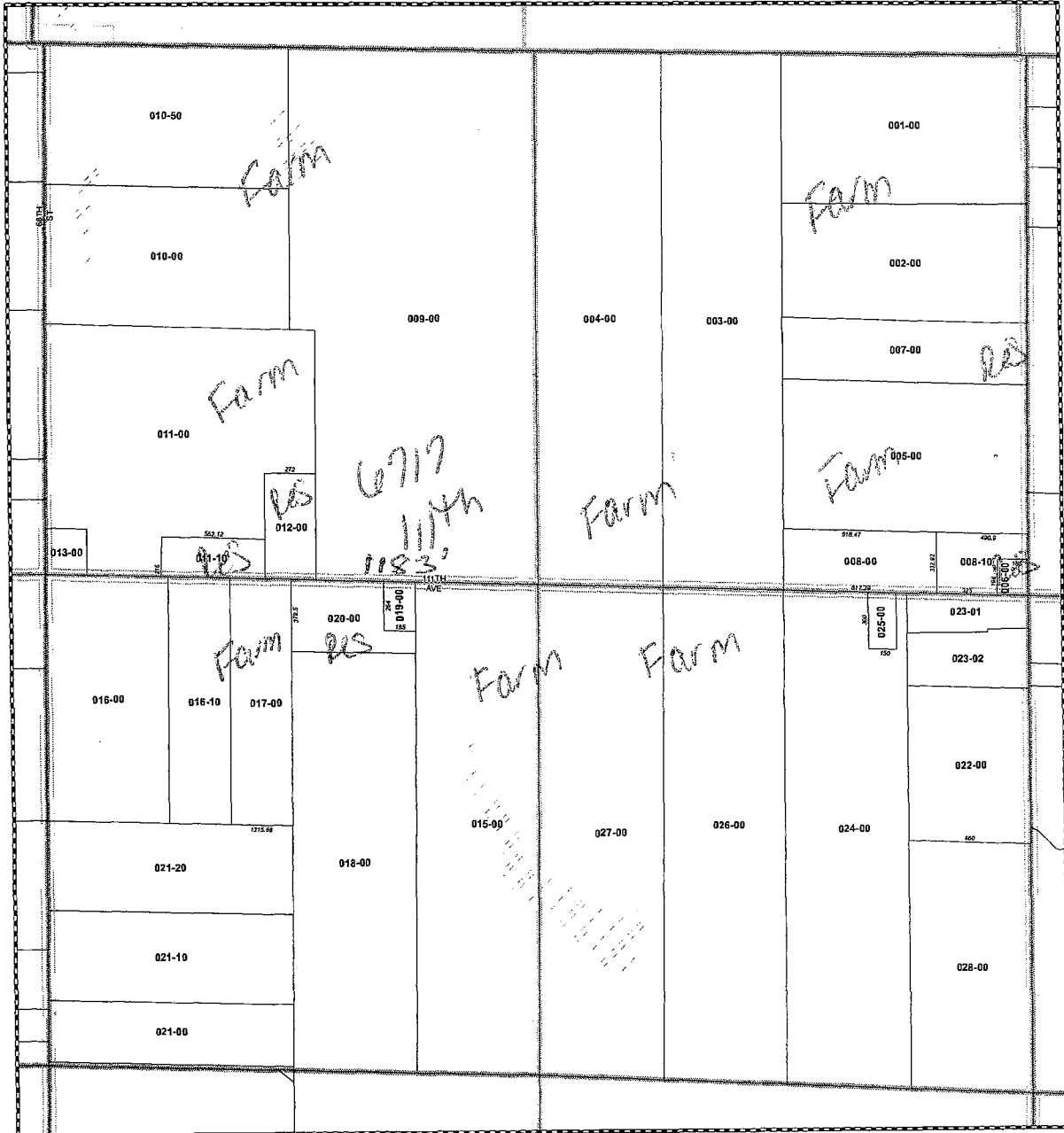
EXISTING  
HOUSE

65' - 0"

EXISTING FARM  
SIGN 2'X3'

TEMPORARY A  
FRAME EVENT  
PARKING SIGN  
2'X4'

328' - 0"



1 in = 400 ft

This map was compiled for tax administration purposes only. It does not represent a legal property survey.

Tax Year: 2019

Map Printed: 6/4/2019

**Casco Twp  
T1N R16W**

- Gaps
- Overlaps
- Waterbody

Parcel Prefix: 03-02-004-

31	32	33	34	35	36
06	05	04	03	02	01
62	07	08	09	10	11
63	18	17	16	15	14
74	19	20	21	22	23
76	75	30	29	28	27
85	86	31	32	33	34

**SECTION 4**



Approved 06-17-2020

Casco Township Planning Commission  
May 20, 2020; 7PM

**Members Present (physically and virtually due to COVID-19):** Chairman David Campbell, Vice Chair Lewis Adamson, Board Representative Judy Graff, ZBA Representative David Hughes Secretary Andy Litts and PC members Dan Fleming, Greg Knisley.

**Absent:** None

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

1. **Call to Order and review of agenda:** The meeting was called to order at 7 PM. A motion by Fleming, supported by Hughes to approve the agenda. Roll call: Campbell yes, Adamson yes, Fleming yes, Litts yes, Knisley, Hughes yes, Graff yes. MSC. Agenda approved with one change. Fleming would like to add continued discussion from the last meeting on “not getting things done quickly” to old business.
2. **Interested citizens will be heard on items not on the agenda, and public correspondence received:** None
3. **Accept minutes from 2/19/2020. (Attachment #1):** A motion by Knisley, supported by Litts to approve minutes of 2/19/2020. Roll Call: Campbell yes, Adamson yes, Fleming yes, Litts yes, Knisley, Hughes yes, Graff yes. MSC.
4. **Updated Calendar May 20, 2020 (Attachment #2):** Supervisor would like meetings minimized due to the current economic environment. Also, the Supervisor would like the PC to move forward with Zoning Changes for medical marijuana.
5. **Old Business:**
  - a. **Water trespass (Attachment #3) (Smalley):** Campbell said Smalley mentioned redoing the zoning compliance permit application back in March and now has a draft of the new application (Attachment #4).

Knisley suggested a supporting diagram be added to clarify the definition for “Grade, final”. Commissioners agreed. Smalley will add a diagram .

Graff suggested a number 10 be added under 2. Site Plan: **10. Site plan showing drainage.**

Smalley said that would involve a change in Section 21.06 C. A number 7 would need to be added to the requirements of a site plan as follows: *7. Drainage plan.*

Campbell recalled that in the original plan Smalley brought to the PC there was a requirement to show a drainage plan.

Commissioners thought it was a good idea to show a water management plan.

Discussion ensued about the intent paragraph and whether the word “severe” be removed. After discussion it was decided to leave it for now.

Fleming questioned whether the 2<sup>nd</sup> paragraph referred to during or after construction. Smalley said the way it is worded it refers to both during and after construction.

Graff will send an email to the recording secretary, Zoning Administrator and PC with the exact wording for number 10 on the application form (Attachment #4) and for Section 21.06 C 7 in the ordinance.

Chairman Campbell said the PC will move forward with the public hearing on July 15<sup>th</sup>.

Knisley asked when the Zoning Compliance Permit is required. Smalley said anything less than **\$200 sq. ft.** requires the Compliance Permit, and anything over **\$200 sq. ft.** requires a building permit.

**b. January 2020 updated Bylaws (Attachment #5):** No real changes

**c. Administrative Reports:**

- i. **Zoning Administrators reports for February, March and April (Attachment #6) (Smalley):** Commissioners did not have any questions pertaining to the ZA report.
- ii. **Township Board representative (Graff):** There was a Township Board meeting on Monday. Graff highlighted some things discussed. \* The Board agreed the Master Plan update should be put on hold to save money because of the Covid shut down. \*SHAES said during this time when crowds are small they are using their time to do maintenance on vehicles. \*The dump is open, they are using safety practices for Covid, there will be a day for tires soon. \*Allegan County reported that since

the “Stay at Home” order has been in place there has been an increase in domestic violence & increased children and parenting needs. Because Casco is so far from the county seat, ~~there will be~~ **the Allegan County Legal Services will hold** a pilot program in Casco on a monthly basis. \*Supervisor Overhiser requested information from the attorney on marijuana growing. \*The Board will be working on a new budget in the next couple of weeks. \*Drain Commissioner made a ~~resolution~~ **recommendation** to do maintenance on Sun & Sand Drain district. ~~It will cost more than money allocated for the job, and the balance will be the responsibility of Casco and citizens in the district.~~ **The Casco Board approved a motion to complete the drain work and assess property owners.**

\* In June they will be voting on an appraisal, 3-year contract. \*Tax revenue will be reduced due to Covid-19, and the township will need to think about how to keep costs down. \*SHAWSA will be lowering debt retirement from \$60 to \$30 effective July 1<sup>st</sup>.

Campbell noted the medical marijuana ordinance will be a regulatory ordinance like STRs. The Board will take care of the regulatory ordinance and the Planning Commission will take care of the zoning part of it.

- iii. **ZBA representative (Hughes):** The ZBA had two meetings since the last update. On 3/19/20 there were two applicants. One was a 3’ variance to move a house from eroding over the bluff. That was granted. The other was an applicant requesting 2 variances. One was a front yard setback (Lake side), the other for a side yard setback for 18’ relief (the public notice was for 13)’. Both were granted knowing the ZA would contact the attorney to see if something needed to be done due to the number of feet being larger than stated in the published notice. The attorney advised to republish the request for 18’ and redo the variance request to give the public a chance to comment. The front yard setback was redone on 5/14/2020 for 18’ and there was no public opposition. It was granted. A 2<sup>nd</sup> applicant at the 5/14/2020 meeting was a side yard variance to construct a pool on a pie shaped lot. He wanted to put in a pool on lake side and needed 11.5’ relief. The ZBA was concerned & had discussion about the stability of bank and proximity of pool to neighbor. The request was granted with a 3-2 vote.
  
- iv. **Water/Sewer representative (Adamson):** There was a meeting on April 28<sup>th</sup>. \*They went over the 2021 budget and came up with a 7-year capital improvement plan. They reduced the debt retirement from \$60 to \$30. \*They had an appeal against a bill that was turned down. \*They will

acquire a new lift station at Highland once it is brought up to standard. It will require \$30,000 to \$40,000 to bring up to standards. Once up to standards SHAWSA will take it over. \*The sledge pump at the water treatment plant was from 1983 and has been repaired multiple times. They finally decided it was time to replace it. \*Evergreen Bluff road is in danger of falling in from erosion. The watermain is compromised. They could fix the compromise watermain or donate \$29,000 to Shoreline Protection and they would take care of it. They opted for the donation rather than the repair.

Knisley asked if it would be a reasonable fix.

Adamson brought the same concern up to Ross Stein and this is what Stein would like to do. They will be putting more rocks there as was done on the southern portion. It will be up to Stein to see that it is done correctly.

**d. Any old business that may come before the Commission:**

Fleming brought up a discussion from the last meeting about the PC not getting things done quickly. Fleming said he is not frustrated by the process. We learned a lot and have gone back and forth, learning all the way. Commissioners should not be frustrated by this. It is a good thing to take our time. You can go through a speedy process and not feel like you succeeded. Even if there is discussion and you do not end up changing it. That is still a success. It would be good to work on 2 or 3 things at a time so that there is time for a thought process.

Knisley agreed, juggling a couple of things at once is good. It does take time and frustrating things have come up. We worked hard for a long time on STRs and then got relieved of what we worked on.

Litts agreed working on a few things at a time is good.

Adamson said the only problem he sees is we seem to go off on tangents. There should be a time limitation or some way to keep it focused. Otherwise, we start chasing our tails. We need to discuss but stay focused.

Campbell said when he sets the agenda, he has copied Lou on everything because he is the Vice Chairman and should be up on what is going on.

**6. New Business: None**

7. **General Public Comment:** None

8. **Adjourn:** Meeting was adjourned at 8:05 PM.

Attachment #1: Minutes from 2/19/2020

Attachment #2: Updated Calendar

Attachment #3: Water trespass current and proposed

Attachment #4: Zoning Compliance Permit Application

Attachment #5: Updated proposed Bylaws - *available upon request*

Attachment #6: ZA reports

Minutes prepared by Janet Chambers, Recording Secretary

**REGULAR MEETING OF CASCO TOWNSHIP PLANNING COMMISSION**  
**May 20, 2020**  
**(Immediately Following Seedling Public Hearing)**

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. 2/19/2020 Regular Meeting (Attachment 1)
4. Updated Calendar May 20, 2020 (Attachment 2) (Campbell)
5. Old Business:
  - a. Water trespass update (Attachment 3) (Campbell/Smalley)
  - b. January 2020 Updated Bylaws (Attachment 4)
  - c. Administrative Reports
    - i. Zoning Administrator Reports for February, March, April (Smalley)
    - ii. Township Board representative (Graff)
    - iii. Report ZBA representative
    - iv. Water/Sewer representative
  - d. Any old business that may come before the Commission
6. New Business:
  - a. None
7. General Public Comment (2 minutes each)
8. Adjourn

# Casco Township

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## Planning Commission Updated Calendar May 20, 2020

Month	6PM Regular Mtg*	6PM Public/Special Mtg**	Joint PC/Board Mtg***
<b>January</b>	<b>15th</b>	<b>Not Needed</b>	
<b>February</b>	<b>19th</b>		
<b>March</b>	<b>Canceled</b>	<b>Not Needed</b>	
<b>April</b>	<b>Canceled</b>		
<b>May</b>	<b>20th</b>	<b>Not Needed</b>	<b>Canceled</b>
<b>June</b>	<b>17th</b>		
<b>July</b>	<b>15th</b>	<b>22nd</b>	
<b>August</b>	<b>19th</b>		
<b>September</b>	<b>16th</b>	<b>23rd</b>	
<b>October</b>	<b>21st</b>		
<b>November</b>	<b>18th</b>	<b>23rd</b>	
<b>December</b>	<b>16th</b>		

**\*1. When a Public Hearing is scheduled on these evenings it will begin at 6PM and be followed immediately by the Regular Meeting.**

**2. Only one Public Hearing will normally be scheduled on a regular meeting night**

**\*\* Public/Special/workshop meeting nights tentatively scheduled every other month if needed**

**\*\*\* 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.**

Appeals as a matter for decision pursuant to Section 20 of the Zoning Act (MCL 125.290). In considering such authorization, the Zoning Board of Appeals shall consider the following standards:

1. Whether the extension or enlargement will substantially extend the probable duration of the nonconforming use; and
2. Whether the extension or enlargement will interfere with the use of other properties in the surrounding neighborhood for the uses for which they have been zoned or with the use of such other properties in compliance with this Ordinance.

(Ord. No. O31819-2, § 1, 3-18-2019; Ord. No. O31819-3, § 2, 3-18-2019)

**Sec. 3.29. Clearing of land.**

Unless associated with a bona fide forestry, or agricultural practice or public works project (such as the installation of utilities or other similar activities conducted by, or on behalf of the State, Federal government, County, or the Township), it shall be unlawful for any person to engage in land clearing of over one acre, including grading, stripping and removing of topsoil or existing vegetation, from any site, parcel, or lot within the Township without first receiving appropriate development approval, such as but not limited to site plan review, special use, planned unit development, or subdivision approval.

**Sec. 3.30. Excavations.**

*Current*

Topsoil or sand may be removed from a lot for the purpose of erecting or constructing a building, structure or pond on the lot, provided that a permit is first obtained from the Zoning Administrator. If any removal from a parcel exceeds 500 cubic yards of material, then the applicant shall comply with the provisions of Section 15.03.DD. In addition, topsoil or sand may be moved from one part of the lot to another part of the lot if such action will not cause, or be likely to cause, sand blow, stagnant water pools, or possible future injury to adjoining properties. A permit shall be required from the Township if the property affected is over one acre in size.

**Sec. 3.31. Hazardous materials.**

The accessory storage of hazardous substances shall be subject to the following provisions:

- A. No loading/unloading shall take place in the front yard of any use in any zoning district.
- B. A description of any hazardous substances expected to be used, stored or disposed of on the site shall be provided to the Township. The information shall describe the type of materials, location within the site and method of containment.
- C. Documentation of compliance with Federal and State requirements, and a Pollution Incident Prevention Plan (PIPP), shall be submitted to the Township, as appropriate.
- D. Any discharge of wastewater to a storm sewer, drain, lake, stream or other surface water shall be documented and appropriate permits obtained from the Department of Environmental Quality, Surface Water Quality Division. Any discharge of liquids, sludges, wastewater or wastewater residuals into or onto the ground shall be documented and appropriate permits obtained from the Department of Environmental Quality, Waste Management Division.



**CASCO TOWNSHIP**  
**Section 3.30 Excavations**  
**Proposed Text**

### **3.30 EXCAVATIONS**

**A.** Intent: To protect the public health, safety, and welfare of Casco Township Residents. The proposed amendments are intended to address the sever issue of water drainage impacting current neighbors and future neighbors of surrounding undeveloped lots in our residential neighborhoods resulting from new home construction and/or home expansion.

In order to protect adjacent properties and to provide adequate drainage of surface water and storm water run-off, the final grade shall be designed and landscaped such that storm water run-off is managed in a manner which does not create a nuisance for adjacent properties for all earth moving activities in the LDR, LR-A, LR-B, MDR zoning districts.

1. The Zoning Permit applicant acknowledges that by submitting the "Application" they are familiar with Zoning Ordinance Section 3.30-Excavations and their responsibilities for adequate drainage of surface and storm water run-off related to the planning of construction.
2. The Zoning Administrator will do an onsite inspection of the building site before issuing a Zoning Permit. The Administrator will take pictures and make notes regarding the review that will become part of the application and permanent file.
3. The Zoning Administrator will make a post construction inspection of the building site and take pictures for the permanent file before the Building Official issues the Certificate of Occupancy.

**B.** Topsoil or sand may be removed from a lot for the purpose of erecting or constructing a building, structure or pond on the lot, provided that a permit is first obtained from the Zoning Administrator. If any removal from a parcel exceeds 500 cubic yards of material, then the applicant shall comply with the provisions of Section 15.03.DD. In addition, topsoil or sand may be moved from one part of the lot to another part of the lot if such action will not cause, or be likely to cause, sand blow, stagnant water pools, or possible future injury to adjoining properties. A permit shall be required from the Township if the property affected is over one acre in size.

ZA suggest adding definition:

Grade, final. The lowest point of elevation between the exterior wall of the structure and a line five feet from the exterior wall of the structure when the structure is complete.

Nuisance. Is an offensive, annoying, unpleasant, or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeated invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects of a human being, or the generation of an excessive or concentrated movement of people or things including but not limited to: noise, dust, smoke, odor, glare, fumes, flashes, vibrations, objectionable effluent, water drainage or storm water run-off.

# Casco Township Zoning Compliance Permit Application

7104 107<sup>th</sup> Ave, South Haven MI 49090 269-637-4441

Zoning Administrator Tasha Smalley 1-800-626-5964 [mtsallegran@frontier.com](mailto:mtsallegran@frontier.com)

## 1. Required Information:

Job address: \_\_\_\_\_

Property Tax No: 0302- \_\_\_\_\_

Owner Name: \_\_\_\_\_

Owner mailing address: \_\_\_\_\_

Owner phone number: \_\_\_\_\_

Email \_\_\_\_\_

Applicant (if different than owner) name: \_\_\_\_\_

Applicant address: \_\_\_\_\_

Applicant phone number: \_\_\_\_\_

Email \_\_\_\_\_

Describe project & use: \_\_\_\_\_

(i.e. house, addition, pole barn, deck, shed, pool, fence, commercial, etc.)

## 2. Site Plan:

Use the other side of this sheet or a separate sheet to draw a site plan showing all the following items:

1. Dimensions of the lot (all sides)
2. Location, distance to lot lines, of all existing and proposed structures
3. Dimensions of all existing and proposed structures
4. Distance between all existing and proposed structures
5. Location of roads, including center line and right-of-way
6. Location of utilities
7. Location of lakes, streams, creek, pond, county drain within 500 feet
8. A north arrow indicating direction of north
9. Front setback is measured from the street/road right-of-way not the center of the road

## 3. Proof of ownership:

deed, land contract, tax bill, etc

## 4. Fee:

\$50.00

Note: per Section 3.30 ZO a site inspection may be required prior to approval and at end of project.

10. Drainage Show plan

Owner/Applicant Signature \_\_\_\_\_

Date \_\_\_\_\_

► **Submit** completed form, site plan, proof of ownership with building permit application. Zoning fee to be paid with building permit fee.

► If Building Permit not required: MTS 111 Grand St, Allegan MI 49010 with \$50 fee payable to Casco Township.

## OFFICE USE ONLY required regulation

Zoning District: \_\_\_\_\_

Front: \_\_\_\_\_ Water \_\_\_\_\_ Rear: \_\_\_\_\_ sides: \_\_\_\_\_

Min lot width: \_\_\_\_\_ Min lot area: \_\_\_\_\_ Max lot cover: \_\_\_\_\_

Max Bldg height: \_\_\_\_\_ Min living area: \_\_\_\_\_ Min Dwell width \_\_\_\_\_

Zoning Administrator Approval Signature \_\_\_\_\_

Approval Date \_\_\_\_\_

Approval Condition(s): \_\_\_\_\_

Zoning Administrator Denial Signature \_\_\_\_\_

Denial Date \_\_\_\_\_

Application denied: reason(s) \_\_\_\_\_

Michigan Township Services Allegan

# Invoice

111 Grand  
Allegan, MI 49010

Date	Invoice #
4/6/2020	3510

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

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
0.25	March 2020 3-13 Blight letter, Charles Dotson, 6789 103rd Ave	50.00	12.50
0.25	3-9 Michelle Parent, 02-019-009-00 lot questions, size, setbacks, min dwell etc	48.00	12.00
0.25	3-9 Jason Dedic, Lamb house, North Shore Dr, back yard pergola questions	48.00	12.00
0.25	3-10 Nate, surveyor, 02-086-017-00, land division question	48.00	12.00
2	3-11 office hours	48.00	96.00
0.5	3-11 Tim Hybels, 90 Bluff, site visit, future rebuild advise	48.00	24.00
0.25	3-12 PC agenda packet, prepare and email to members and twp hall	48.00	12.00
0.25	3-13 Charles Dotson, 6789 103rd Ave, living in campers	48.00	12.00
0.25	3-16 Frank Conklin, realtor, 42 North Shore, pool variance questions	48.00	12.00
2	3-17 Office hours	48.00	96.00
0.25	3-17 Nate, surveyor, more questions 02-086-017-00	48.00	12.00
0.5	3-17 Steve Larsen, old golf course questions, possible PUD, housing for seniors	48.00	24.00
0.25	3-17 Patricia Decker, renter of the property 68th/103rd, she will work on cleaning up property	48.00	12.00
0.5	3-19 Al Ilekis, 42 North Shore, variance discussion regarding pool, ordinary high water mark	48.00	24.00
0.75	3-19 ZBA meeting	48.00	36.00
<b>Total</b>			

Michigan Township Services Allegan

111 Grand  
Allegan, MI 49010

# Invoice

Date	Invoice #
4/6/2020	3510

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

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
0.25	3-23 Brian Peterson, 58 North Shore, side setback, remodel project	48.00	12.00
0.25	3-23 prepare Jan 15 PC meeting for twp website	48.00	12.00
0.25	3-24 Paul Zleba, 02-086-017-20, land division questions	48.00	12.00
0.25	3-25 Paul Zleba, 02-086-017-20, zoning questions for placement of driveway	48.00	12.00
0.25	3-25 prepare ZBA 12-30-19 meeting for twp website	48.00	12.00
0.25	3-26 William, looking to move to area, contacting twp's regarding tiny homes, or smaller reduced homes	48.00	12.00
0.25	3-26 re-design zoning permit application	48.00	12.00
0.5	3-26 finish final copy, with corrections, PC bylaws	48.00	24.00
0.25	3-27, Nate, surveyor, more land division questions; 4 to 1 depth to width ratio	48.00	12.00
0.25	3-30 Rob Maynard, 7161 Atlantic, bld quests; size, setbacks, etc	48.00	12.00
0.25	3-30 Frank Conklin, 42 North Shore, more questions re: pool variance	48.00	12.00
0.25	3-31 Jaimi, Nederveld, 1063 Blue Star, setback verification	48.00	12.00
		<b>Total</b>	\$564.50

Michigan Township Services Allegan

# Invoice

111 Grand  
Allegan, MI 49010

Date	Invoice #
5/6/2020	3515

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

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
0.25	Zoning April 2020 4/2 Schuyler Hamill, 6837 111th, questions re: zoning for antenna upgrade	48.00	12.00
0.25	4/14 Chris, Highfield Beach, mechanicals setback questions	48.00	12.00
0.5	Ms. Darby, move house from bluff 1062 Lake Mich Dr questions	48.00	24.00
0.5	4/17 neighbors complain/update trailers/blight 68th & 103rd	48.00	24.00
0.25	4/20 Andrew Herrema, 6220 Unity, animal regs	48.00	12.00
0.25	4/21 Adam Bastow, 732-003-00, allowed uses for property	48.00	12.00
2	4/22 prepare ZBA packet 5/14, 42 North Shore	48.00	96.00
0.5	4/28 Paul Zieba, land division 02-086-017-00	48.00	24.00
0.25	Lisa Marovec, gate questions 39 Blue Star	48.00	12.00
0.25	Gary Phillips, questions re: zba 1140 Orchard Lake, site plan quest	48.00	12.00
0.25	4/29 Quadree, 603-001-00, setbacks new dwelling	48.00	12.00
0.25	Dan Lauraine, 024-014-00, farm and farming questions	48.00	12.00
0.5	prepare public notice and 300 ft, PC public hearing 5-20	48.00	24.00
		<b>Total</b>	\$288.00