

Approved 3/16/22

Casco Township Planning Commission  
Regular Meeting  
February 16, 2022, 6 PM

**Members Present:** Chairman Andy Litts, Vice Chairman John Weaver, Secretary Greg Knisley, Board Representative Dan Fleming and ZBA Representative Sam Craig

**Absent:** Kelley Hecker

**Also Present:** Zoning Administrator Tasha Smalley, Supervisor Alan Overhiser, Trustee Paul Macyauski and Recording Secretary Janet Chambers

1. **Call to Order:** The meeting was called to order at 6:02 PM by Chairman Litts.
2. **Review / Approval of Agenda:** A motion by Weaver, supported by Fleming, to approve the agenda. All in favor, MSC.
3. **Public Comment – items NOT on the Agenda & Correspondence Received:** Clay Griffendorf asked that the meeting be recorded. The last meeting was not recorded and Griffendorf would/d like to make sure this meeting is recorded.
4. **Approval of Minutes from 1/19/22:** A motion by Fleming, supported by Weaver to approve minutes of 1/19/22. MSC. All in favor.

Janis Griffendorf said she wanted to correct some items in minutes from the last meeting but was told only commissioners can make changes to the minutes. Griffendorf said if the last meeting had been recorded, she could prove her changes would match the recording. Litts said Griffendorf could go explain her concerns during public comment section of the meeting.

5. **Public Hearing – None**
6. **New Business that may come before the commission:** Chairman Litts said the board is looking at adopting a guideline for when public correspondence will be accepted for meetings. Email and written comments currently come in all the way up to the meeting. The board is considering setting a timeline to cut off acceptance of correspondence. This will be forthcoming, and the public will get plenty of notice of the change. This will include all committees.

Smalley said without a cutoff time email and written comment come in right up to the start of the meeting and commissioners do not get time to read them.

Fleming said it is not fair to the citizens submitting the comments.

Fleming asked regarding homes with non-conforming setbacks, if a homeowner wants to build up, within the same footprint, do they need a setback variance? This could be a home built before the ordinance and grandfathered in or where the ordinance has changed.

Smalley said they would need a variance to build straight up. It could be a legal nonconforming structure and they would still need a variance. She said if the PC wanted to change this, she could add this to the tickle file for the Planning Commission to consider.

7. **Old Business:**

A. **Continue campground / resort text amendment discussion:** Chairman Litts opened discussion up to commissioners.

Smalley said the PC needs to start at the beginning and decide which zoning districts they want to allow camping.

Fleming suggested, because "Glamping" is the main question, instead of going back to the beginning, they could allow Glamping and be done pretty quick. The simplest way to handle this would be to just allow it.

Chairman Litts said he would leave camping in both AG and RR.

Knisley said he would not like to see it in some dense neighborhoods. It would be detrimental in dense areas.

Smalley said currently a campground requires a minimum of 3 acres, which eliminates it from the dense areas.

Chairman Litts said there is currently an acreage requirement. Could that be expanded? There are 10 items under Special Use that dictates setbacks and lot size. In section 2.04 Definitions *Campground means publicly or privately owned establishment intended or used for the purpose of supplying a location for overnight camping.* But it does not define "camping".

Knisley added there are many different types of camping.

Chairman Litts googled camping. Some websites had 7 different types of camping, and one had 23 different kinds.

Knisley said the State has a guideline that we can't change. Should we mirror the different examples?

Fleming said we have our biggest problems when we mimic someone else.

Knisley said we are not going to get a campground unless the state licenses it.

Chairman Litts said Section 15 E, 1-10 is where we define what camping is.

Smalley said per the state rules, there must be 5 or more sites to be licensed by the State. If someone came to the PC requesting 3 campsites, they would not need a license from the state. They would come to Casco for a SLU and need a site plan. Even one site for overnight camping would need a SLU.

Knisley said we could do the same thing. We could say they have to come to us if they want over a certain number of sites.

Chairman Litts read the Camps and Campgrounds Definition from the East Bay Township Zoning Ordinance (Attachment #1). *DEFINITION: An area or establishment intended to contain temporary or permanent buildings, tents, recreational vehicles such as motor homes or camper trailers, or other structures established or maintained as temporary living quarters, usually operated during the summer for recreation, religious, education, or vacation purposes.*

Weaver found something specifically on glamping. (Attachment #2). He will email it to the other commissioners.

Discussion ensued about whether to specify a timeframe for the campground use. Whether to limit the number of days a visitor could stay.

Craig suggested the owner could make their own conditions on that kind of thing. The owners will set the rules that makes them successful.

Smalley said some people might stay for the summer.

Litts said zoning should not be so confusing. If we remove some of the confusion, it will go a long way.

Knisley said you could say 40 acres or larger.

Litts said if you want to regulate where campgrounds go, a minimum acreage is a good way to do it.

Litts said he went to Municode and searched for resort in the Casco ordinance. It appears "0" times.

Smalley said she mentioned resorts initially to define the difference between camping cabins and resort cabins. She gets calls all the time from people who want to buy 6 acres and put cabins up to rent them short-term. Maybe stay a week. More of a resort type thing. Resort could incorporate all those things together. You could have 500 sq ft., with a bedroom, bath, and kitchen. Temporary living would typically include a kitchen. You could decide whether you want to allow a kitchen.

Fleming asked why we would care? They would need building permits. Fleming added if you drive around and look at houses built before building permits were required,

some have electricity, some don't, no insulation, some electricity added later. The people putting them up have the most interest in safety.

Litts suggested they look at the SLU section and add or subtract as they see fit. This would be a reasonable goal to come back next month and agree on a definition, and name, and other changes to the SLU Section.

Smalley said a green belt, within setback for the neighbor's protection. Smalley added the Fire Department Ordinance has requirements for internal roads, or fire access roads. The Ordinance requires specific road widths for one- and two-way roads. We also need to decide if we want to allow a single-family home where the owner could live.

Chairman Litts said the state requires licensed campground sites to be 400 sq. ft. Litts said you could require a minimum of licensed campsites. This would dictate spacing, etc.

Smalley said someone could apply for normal campsites that are licensed, like within Yogi Bear, they have some sites that have a structure that is not licensed sites.

Chairman Litts said you may have a 3-acre parcel, and someone wants to put in a bunch of tiny houses and call it a campground. If you want to steer it more towards traditional camping, or get people to comply with State rules, include a minimum number of licensed sites. Require them to comply with the State requirements and our requirements.

Weaver said if someone had 40 acres and wanted to put in 10 tepees with flooring, water, and sewer, they would have nothing to do with the state.

Chairman Litts asked Smalley to work with a definition and stick everything we already have in the ordinance. Include a greenbelt to shield neighbors. Check with fire department on driveway width and include that. Decide whether to allow single family home, which Litts thought was a good idea. Then present a draft at the next meeting. We can start there and make changes if we want.

Weaver asked how many campgrounds Casco has? What sizes are they? How many could you have if you set a 3-acre minimum? What zoning districts are 3+ acre parcels in?

Smalley said the greenbelt section in our ordinance now is Section 3.33.

Fleming said if someone put a campground next to his property line, he would appreciate a buffer, but does not feel we should tell someone what to do with their property.

Smalley asked about maximum size of a structure. Chairman Litts said just put in a number and get the language, we will debate it out at the next meeting.

Fleming said when you say “we”, you are assuming we control other people’s property. The Constitution says you can’t tell us what to do with our property.

B. **If time allots, go over other amendments work on:**

C. **Any other business that to may come before the commission:**

8. **Administrative Reports:**

- a **Zoning Administrator:** Report (Attachment 4) Smalley provided commissioners with the adopted amendments that went into effect on February 7<sup>th</sup>. She will provide Municode copies when they are ready. There will be a public hearing next month for a private road on 107<sup>th</sup>. They would like a 33’ drive where 66’ is the required width. The health department would not allow a 33’ private road servicing 4 houses but agreed to two houses.
- b **Township Board representative:** No regular meeting. Public Hearing to discuss parks recreation plan and approved the plan.
- c **Report from ZBA representative:** Craig said the ZBA had one variance request by Matt Hamlin to reduce the required lot width. He also requested to decrease minimum lot size. The purpose for the variance was to sell off an old homestead but keep the farmland all the way around it and continue farming as he has. The requests were granted.
- d **Water / Sewer representative:** Supervisor Overhiser said the meeting was cancelled, but they are meeting with a rate consultant. Some of their goals are financially sustainable and fit for financing.

9 **General Public Comment:** John Kasishke asked that firepits be covered on next months agenda.

Smalley said she has added firepits to her list of amendments to work on.

Clay Griffendorf said Part 125 Michigan Department Health Code has definitions of campgrounds. Jeremy Hoeh is an Environmental Engineer for EGLE. Hoeh has answered questions from Griffendorf and is very knowledgeable. He is a good resource. Griffendorf suggested inviting Hoeh to review proposed language for the campground ordinance to be sure it is not in violation of State rules. Griffendorf said before the PC gets too far down the road with this amendment, he highly recommends talking to Hoeh.

Janis Griffendorf said her correspondence was not mentioned. She sent a letter. She does not think there should be camping near residential areas. Permanent structures or resorts should only be in AG or Commercial. The current campground is near the R1 Lakeshore District. Domes were not allowed, and that’s why you are addressing them now. Smalley said they are not. She has been explaining this since last February or March. Griffendorf asked for clarification on her statement in last month’s minutes. On page 8, it was left short and did not

explain what Attorney Bultje said. He said if it does not fit, why doesn't it? In the same paragraph it says "she" is friends with Smalley. Griffendorf said it sounds like you are saying I am friends with Smalley. I am not. Griffendorf wants to clarify her statement "Missy Fotjek" is friends with Smalley.

Clay Griffendorf provided contact information for Jeremy Hoeh, Environmental Engineer for EGLE, 517-898 3711. Hoehj@Michigan.Gov. Hoeh is responsible for "*Sec 42 What is a Licensed Campground*".

Fleming said the word "Shall" is in the Section 2.01 Rules applying to text. "Shall" is a strong word. Fleming said his concern is that we put more weight on the zoning ordinance than we do the constitution. We take an oath to uphold the Constitution. People who practice sleight of hand present one reality to their audience while concealing another. This is how zoning got started. Fleming provided a written copy (Attachment 3) and read his statement.

Weaver provided Tropic Town's Glamping Ordinance #2020-3, specifically on Glamping. (Attachment 2)

Fleming said it took all this time tonight to put a tent on a deck.

- 10. Adjourn:** A motion by Craig, supported by Knisley to adjourn. The meeting was adjourned at 7:55 PM.

Attachment 1: East Bay Township Ordinance Definition of Camps and Campground, provided by Chairman Litts

Attachment 2: Tropic Town's Glamping Ordinance provided by John Weaver

Attachment 3: Fleming, Statement on Zoning and The Constitution, 2/16/22

Attachment 4: Zoning Administrator report

Minutes prepared by Janet Chambers, Recording Secretary

*Next meeting date Wednesday March 16, 2022, 6 PM*