

Casco Township Planning Commission

Regular Meeting

June 19th 2024

6:00 PM

Casco Township Hall

Members Present: Andy **Litts**, Dian **Liepe**, Dan **Fleming**, Greg **Knisley**, Ryan **Brush**, Irene **Wood**

Members Absent: Kelly **Hecker**

Audience: Allan **Overhiser**, Dave & Mary **Campbell**, Matt Marcarian

1. Call to order: Meeting was called to order by Chairman **Litts** 6:00PM
2. Review and approve agenda: A motion was made by **Litts** to approve the agenda, supported by **Knisley**. All in favor. Motion carried.
3. Public comment: None
4. Correspondence: e-mail from Marie **Fleming** – 569 68th St asking the PC to reconsider the 250’ road frontage requirement in the AG District. The Fleming family wants to subdivide their property and Marie finds this requirement to be arbitrary, since other neighboring townships allow shorter distances.
5. Approval of Minutes:

A motion was made by **Fleming** to approve the May 15th, 2024 Regular Meeting minutes, supported by **Wood**. All in favor. Motion carried.
6. Public Hearing: None
7. New Business: None

- a. Matt **Marcarian** - 7233 Orchard (Miami Park) – Sport Court Concerns
Marcarian is concerned that the Sport Court, newly constructed at 7238 Orchard, is being used for pickleball; which is a uniquely loud game that can become a nuisance when played so close to residences. **Marcarian** was also concerned about it being located so close to the road and the fact that the elevation of the front yard had changed and now the neighbor’s yards are lower than the Sport Court.
Marcarian has discussed his concerns with pickleball sound mitigation expert Robert Unetich. He explained how the pitch and constant oscillation is much louder than a tennis

ball. While **Marcarian** admitted that the Short Term Rental has not had any noise concerns, relating to pickleball, he is concerned that it could become a problem in the future; and he would like the PC to consider an ordinance to regulate Sport Courts.

Knisley agreed that the noise from a pickleball court can be a nuisance. **Wood** agreed as well and commented that there are special paddles and balls that can mitigate the noise.

The PC also discussed the fence location/height and the lighting. **Marcarian** was asked if there was an HOA, deed restrictions and/or any bylaws for the neighborhood and answered that there was not.

Litts asked about the fence regulations. **Wood** wants a fence to be in place so no children can run out into traffic chasing a ball. **Smalley** responded that she had not approved the fence and that it cannot be as tall as it is in the front yard setback. **Liepe** commented that it is lucky that this is not a highly trafficked road.

Smalley went on to explain that Sport Courts do not count towards lot coverage. Dave **Campbell** commented that the property still has to control its storm water. **Smalley** remarked that any lighting concerns can be regulated.

Knisley asked if the property owner of the Short Term Rental was aware of the potential nuisance a pickleball court could be to the neighbors. **Marcarian** responded that the young couple that owns the property probably is not aware. **Wood** asked if Smalley or the Short Term Rental Administrator could send the property owners an advisory letter. **Smalley** stated that she would like to do some research and look at other jurisdictions to see how they regulate Sport Courts and pickleball courts. **Wood** and **Liepe** would like permits to be required to install a Sport court. **Litts** also thinks they should be considered a structure and have to meet the setbacks.

Smalley agreed that Sport Courts should count towards lot coverage. **Fleming** remarked that they can use the current ordinance to regulate them until complaints are made.

Overhiser commented that he had received a complaint regarding lot coverage and drainage yesterday. **Overhiser** also explained that the Allegan County Road Commission (ACRC) does not allow you to drain water from your property into the road ditches.

Kinsley thinks the ACRC is remiss for not allowing drainage to run into the ditches.

b. Irene **Wood** – Minor Site Plan Amendment:

03-02-032-001-02 – 154 68th St. Fields Campground

Add a 16 x 33 Swimming Pool with a 9 x 10 Mechanical Room

Wood presented her proposed site plan and explained that the pool will have an auto cover and fencing. The PC reviewed the site plan and determined that it met the requirements. **Fleming** made a motion to approve the amendment to the site plan, supported by **Liepe**. All in Favor, **Wood** abstained. Motion carried.

c. Any other Business that may come before the PC

Litts asked **Smalley** if she had done an onsite inspection at the Cisco Sand Mine operation. **Smalley** responded that she had and it was approved. **Litts** asked if they had installed the fuel tank yet. **Smalley** did not remember but stated that she would check on it. **Smalley** reminded the PC that the sand mine has an annual review coming up in September or October.

Road frontage requirement for AG District discussion:

Fleming feels that a 250' requirement is arbitrary and non-objective. **Fleming** explained that the property already has more than one dwelling that currently share a driveway and that the amount of footage required to create a new parcel just does not line up with how the family would like to divide it, or the terrain that would make a logical place to put the new lot lines. **Smalley** responded that the idea is to have the AG District be a lower density. **Fleming** responded that there is no real reason why there has to be 250' of frontage and that the ordinance could be more flexible. **Smalley** remarked that they had already lowered the minimum requirement from 3 acres and 300' of road frontage to 2.5 acres and 250'. **Fleming** countered that the State of MI doesn't have any road frontage requirements. **Litts** commented that any new road frontage requirement would still be an arbitrary number. **Fleming** responded that it would still be relief.

8. Old Business:

a. Draft Sign Ordinance:

Fleming reported that he had contacted the Michigan Department of Transportation (MDOT) regarding freeway signs. **Fleming** stated that there had not been a permit issued by MDOT since 2007 and that property owners are not required to get a permit to self-advertise. **Fleming** had also done some research on how much a property owner can make to lease their land to someone else to put up a billboard and found that they can receive \$1500.00 to \$2000.00 a month. **Fleming** believes that it is a taking to only allow a 32 sq. ft. sign, which would be too small to see from the freeway, and wants the size limitation to be removed. It was determined that it would be changed to read "Signs are not to exceed a total accumulation of 32 square feet except when placed on properties bordering I-196, which shall not to exceed a total accumulation of 400 Square feet and must be freeway facing.

Fleming also believed that they don't need to say "the leading edge of the sign shall not encroach into the road Right of Way (ROW)" remarking that MDOT and ACRC can regulate their road ROW's.

Fleming also questioned the difference between internally and externally lit signs, wondering why externally lit signs were allowed and internally lit ones were not. It was explained that externally lit signs could shade and direct the light onto the sign where

internally lit ones project the light away from the sign and towards neighboring properties and /or the roadway and oncoming traffic.

It was determined that the updated sign ordinance would have Public Hearing scheduled for the August PC meeting

- b. Master Plan (MP) – go through current MP, discuss to keep current text or update
Smalley reported that the survey was online and open for use. Residents will be receiving a QR code and a link to take them to the website. **Wood** asked how many times you can take the survey. **Smalley** wasn't sure how McKenna set up. Litts asked how long the Survey would be open. **Smalley** responded that she would ask **Mucha**. Mary **Campbell** commented that she believed the information would go out with the summer tax bills in the first week of July.
Litts would like to discuss Accessory Dwelling Units, Minimum dwelling size requirements, and fence regulations at the July PC meeting. **Fleming** would like to discuss minimum road frontage requirements. **Smalley** would like to discuss the township planning guide that needs to be added to the MP

9. Administrative reports:

Zoning Administrator – **Smalley** presented her itemized May 2024 Zoning Report.

Township Board Representative – **Fleming** reported that the Board had discussed the senior service community report

ZBA Representative – **Liepe** reported that they had two meetings on May 9th and May 22nd. At the May 22nd meeting the ZBA approved the request to provide relief for the maximum height of a fence in a front yard setback at 70 Pershing. **Liepe** stated that the PC really needs to fix Section 3.28 so it is not so confusing to use. **Liepe** also reported that the Parks Committee projects were coming along and asked about road paving budgets for 104th Ave and 68th St. **Wood** commented that the ACRD would be paving 68th St next year.

10. Public comment:

Dave **Campbell** commented that Glenn Shores has two drain districts that contain county drains. Campbell went on to say that the run-off sometimes goes through private property.

11. Adjourn at 8:55 pm

Attachments: available upon request

Minutes prepared by:

Jennifer Goodrich, Recording Secretary