

**Melrose Township Planning Commission Minutes
Melrose Township Hall
Regular Meeting of April 26, 2021
Zoom Meeting**

I. CALL TO ORDER / ROLL CALL

All members, staff, and audience participated remotely through Zoom due to Covid-19 related restrictions on in-person public meetings.

- A. Call to Order:** Chair Bart Wangeman called the meeting to order at 5:34PM.
- B. Members present:** Bart Wangeman, Bob Bourassa, Dan Nowland, Charley Zimmer and Tim LaGasse.
- C. Members absent:** None.
- D. Staff present:** Zoning Administrator Randy Frykberg and Recording Secretary Tom Mackie.
- E. Also present:** Hunter Carlile, Robert Martin, Zeb Burge, Eric Lohman, Carrie May, Andy Theisen, Errol Lee, Mary Pat Goldich, Joe and Laura Dalton.

II. APPROVAL OF AGENDA

Following a review, the Agenda was approved by consensus with the removal of item A under New Business as the application for a Wellness retreat at the former Elvyn Lea Lodge has been withdrawn by the applicant.

III. APPROVAL OF MINUTES

Bob Bourassa motioned, Tim LaGasse seconded, to approve the March 29, 2021 meeting minutes as corrected to replace the word “their” with “there” in the last sentence of the first paragraph under Unfinished Business. All members present voted Yes, motion carried.

IV. NEW BUSINESS

- A. Public Hearing for Wellness Retreat at former Elvyn Lea Lodge:** Application withdrawn by applicant.
- B. Shoreline Protection Overlay permit for 00313 Shadow Trails (#15-010-018-043-10)**

Randy noted this parcel includes more than 120 feet of Walloon Lake frontage and, therefore, requires review and approval by the Planning Commission. The application submitted by Landscape Architect Maureen Parker appears to be complete. In referring to his memo to the Planning Commission Randy noted a significant number of trees are to be removed but the application does not provide for their replacement.

Bart asked for comment from the applicant and Andy Theisen of Konwinski Construction noted the plan is to move a non-conforming home further from the lake. The home will also be expanded but will be in conformance with zoning regulations when completed.

Bart then asked for Planning Commissioner comment. Tim asked if an existing garage is to remain in place. Andy responded this is the goal, but the plan could change if necessary. Andy also noted the large number of trees scheduled for removal is due to site constraints including a lack of lay-down area. Tree removal is not intended to improve views.

Tim then asked where a new well would be located. Andy responded they are currently working with the District Health Department on both well and septic. Randy suggested the structure relocation will represent a huge improvement to be addressed under a zoning permit, but tonight's issue is a Shoreline Protection Permit.

Bob noted a significant number of trees scheduled for removal around the fire pit. Andy stated these small-growth trees interfere with the fire pit but their removal could be reconsidered.

Dan asked why a pump chamber is located by the lake instead of by the garage. Andy responded this is the existing location but it will probably be moved.

Bart provided the following comments:

- The application drawing's contour lines appear to be at 10-foot intervals rather than the standard 2 foot and do not include elevation numbers.
- Some large cuts on the south side of the site could be eliminated if the new position of the house were moved slightly to the north.
- He is not sure why the driveway is being re-shaped with several changes in grade.
- It appears that a significant amount of tree removal has already been done before permits have been issued, although there is no apparent cutting on the shoreline.

Andy responded there are several grading issues to deal with as the house is moved back from the shoreline. The plan was developed with 2-foot contour lines but they may not be reflected in the submitted version. Some tree removal took place before he became involved with the project. The use of bio-bags seemed to be the most natural way of dealing with grade changes and is preferable to poured concrete walls.

Property owner Robert Martin stated this is intended to be a family home and the inclusion of a play area and fire pit is an attempt to provide something for everyone. Not as many trees have been removed as it may appear. A large stand of birch trees died a few years ago and had already been removed. This area is not visible by any neighbor and will be re-vegetated. Randy noted some larger maples near the garage have been removed. Bart suggested this appears to be due to grade changing. Andy noted the grade change was necessary to prevent flooding of the garage.

With no further comment offered Bart indicated the Planning Commission will now review the (6) site plan approval standards in Section VI paragraph D of the zoning ordinance.

- a) "... impact minimized by preserving natural habitat..." All agreed the standard is met.
- b) "...erosion and sedimentation prevented..." All agreed the standard is met.
- c) "...natural character and aesthetic value of shoreline maintained by minimizing visual impact..." Randy noted the EGLE permit applies to the water's edge but the identified concerns are with the upland area.
- d) "...fitted to topography to minimize loss of vegetation..." Bart suggested this standard could be better met if the house is moved to the north but additional plantings can mitigate this concern. All agreed the standard is met.
- e) "... structures located to maintain unobstructed views..." All agreed the standard is met.
- f) "...review by Zoning Administrator and Planning Commission..." All agreed the standard is met.

Bart stated all applicable zoning ordinance standards have been determined to be met and the goal is to minimize the number of trees removed from the site. Randy suggested trees identified to remain should be referenced in any motion and marked on-site.

Dan expressed concern that honeysuckle is an invasive plant and would like to see an alternative planting. Randy will pursue this with the applicant's representative to insure the proposed 'Michigan Sunset' dwarf bush honeysuckle is native and non-invasive.

Charley Zimmer motioned to approve the application as presented with the understanding the Zoning Administrator will investigate the use of 'Michigan Sunset' dwarf bush honeysuckle and work with the applicant's representative to ensure this plant is native and non-invasive. Seconded by Dan Nowland. The motion was approved by a vote of all ayes.

C. Flywheeler Mass Gathering Permit

Randy noted the Flywheelers have been granted a Mass Gathering Permit for their annual show in July for many years. Mass Gathering is regulated under a stand-alone ordinance rather than the zoning ordinance. Under this ordinance the Planning Commission provides a recommendation to the Board of Trustees who will ultimately approve or deny the application.

The Flywheelers are not yet sure if their show will take place this year due to changing circumstances related to COVID, but the lengthy planning process requires they start planning now. No changes will take place in the site layout, operations, or activities. Randy then explained the ordinance criteria and review process for a Mass Gathering Permit. Tim recommended additional spacing in the Flea Market area be provided to address COVID concerns.

Tim LaGasse motioned to recommend the Township Board of Trustees grant a Mass Gathering License to the Flywheelers for their annual show on July 22 through July 25, based on their completed application and long history of operation without problems or complaints and with implementation of any District Health Department restrictions due to COVID. Seconded by Bob Bourassa. The motion was approved by a vote of all ayes.

V. **UNFINISHED BUSINESS**

A. **Public Hearing – Zoning Ordinance Amendment to reduce building minimum square footage in the Farm and Forest (FF) District.**

Bart opened the Public Hearing at 6:42 and asked Randy to describe the proposal. Randy noted the idea of a reduced structure size has come up several times over many years as the interest in tiny homes has continued. This idea had not been pursued as state building codes did not allow for them as permanent structures. A recent amendment (Appendix Q) to the Michigan Residential Code now allows their construction and the Planning Commission, at their March 29 meeting directed the Zoning Administrator to pursue potential zoning ordinance language to permit these in the FF District.

Zeb Burge addressed the considerable cost savings possible with smaller homes and believes there is a great amount of interest in them.

Bart asked for any additional comment and Errol Lee expressed concern they conflict with the Master Plan's goal of maintaining a rural character in the community. He also suggested they will eventually be factory-built and delivered to a site. Errol also noted their potential use as rental homes without the Township's knowledge. Bart asked if their use as rentals would be any different than with a larger home. Errol suggested they may be popping up everywhere if allowed in the FF District, noting this district represents most of the land area in the Township.

Mary Pat asked if multiple smaller homes would be allowed on one lot. Bart responded the proposed amendment would not allow an increase in the number of allowed homes on one parcel.

Bart noted Charley and Tim did not attend the March Planning Commission meeting when this proposal was last discussed and asked if they believe more discussion is appropriate. Charley indicated he would favor additional time for discussion and consideration. Tim noted the importance of affordable housing in the community and does not believe smaller homes would affect the area's aesthetics.

Bart noted a 14-foot by 25-foot minimum structure size suggested in Randy's memo to the Planning Commission is not included in the formal amendment language included in the current meeting packet.

With no further comment offered Bart closed the Public Hearing at 7:00 PM.

Charley Zimmer moved to table the proposed Zoning Ordinance amendment reducing minimum floor area requirements pending additional discussion. Seconded by Bob Bourassa. The motion was approved by a vote of all ayes.

B. Public Hearing – Zoning Ordinance Amendment to allow storage buildings as a Special Use in the Farm and Forest (FF) District.

Bart opened the Public Hearing at 7:05 and asked Randy to describe the proposal to amend the Zoning Ordinance. Randy noted agreement at the March meeting that Special Uses require a minimum of 10 acres in the FF District and that existing Special Uses are typically more intense than storage buildings. The proposed amendment requires storage units to be shielded from view on the access road and by neighbors and also requires a designated manager be indicated. In addition to the community letters of support already provided, four new ones have just arrived. David Rentschler, Matt Borisch, Jonathon Borisch, and Susan Gilmette have all expressed support if they are shielded from public view.

Bart asked for any additional public support. Eric Lohman stated he supports the natural settings and screening with trees included in a potential application for a parcel on US131. Bart noted this discussion applies to a general Zoning Ordinance Amendment that would impact the entire township rather than a specific site application.

Hunter Carlile stated he has previously operated storage unit facilities and believes they are valuable to the community. His potential proposal is for a “Premium facility” with professional landscaping and security fencing.

Carrie May stated she sees a strong demand for this in the Township and appreciates our consideration.

Bart asked for any comment in opposition. Errol Lee stated he is opposed as this will allow their use in any 10-acre parcel in the FF District. In essence the FF District would become a commercial district. Additionally, the Master Plan calls for maintenance of a “Rural character” and a plethora of commercial storage throughout the FF District is not in keeping with the Master Plan.

Dan suggested this could result in a broad change from low-impact residential use to a higher-impact commercial use. He does not believe they would be appropriate for all FF district parcels. Randy suggested we may want to consider limiting the impact by requiring they be on class A roads only. In reference to the March meeting discussion Bart noted a need to establish a definition for “Mini storage.” Randy noted the proposed new language does not use “Mini” and only refers to “Storage” because various sites may need to be considered differently.

Charley expressed a need for this service in the township. Tim indicated we have denied Special Use applications before and each application can be considered independently. He then suggested we consider recommending approval of the new language.

Bart asked if a Development Plan review would be required as part of a Special Use application. Randy responded it would, but the proposed language includes some requirements over and above those typically considered.

Errol asked why an ordinance amendment is necessary if a storage unit can currently be approved as a Special Use. Randy responded a storage building is currently only allowed for private storage, not commercial.

Mary Pat asked if this change would now allow commercial development in the FF District. Randy responded that all Special Uses in the FF District are commercial in nature but storage buildings are likely less intensive than currently allowed uses.

With no additional comments being offered Bart closed the Public Hearing at 7:32 PM.

Bart Wangeman moved to recommend the Township Board of Trustees consider adopting Ordinance # 4 of 2021 expanding the list of Special Uses allowed in the FF District to include Storage Buildings. Seconded by Tim LaGasse. The motion was approved by a vote of four ayes with Dan Nowland voting Nay.

- VI. **OTHER COMMUNICATIONS / REPORTS:** - None.
- VII. **PLANNING COMMISSIONER COMMENTS:** None.
- VIII. **CITIZEN COMMENTS ON NON-AGENDA ITEMS:** None.
- IX. **NEXT MEETING:** Scheduled for May 24th.
- X. **ADJOURNMENT:** At 7:40 PM

Prepared by

Planning Commission Approval by:

Tom Mackie, Recording Secretary

Charley Zimmer, Secretary

Copies: Melrose Township Board, Planning Commission Members, www.melrosetwp.org