

Melrose Township Planning Commission Minutes
Melrose Township Hall
Regular Meeting of January 10, 2022
(Rescheduled from January 24)

I. CALL TO ORDER / ROLL CALL

- A. **Call to Order:** Chair Bart Wangeman called the meeting to order at 5:45PM.
- B. **Members present:** Bart Wangeman, Dan Nowland, and Tim LaGasse,
- C. **Members absent:** Julie Christy, and Charley Zimmer (both excused)
- D. **Staff present:** Zoning Administrator Vern Goodwin and Recording Secretary Tom Mackie.

II. APPROVAL OF AGENDA

Following a review, the agenda was approved by consensus.

III. APPROVAL OF MINUTES

Bart Wangeman motioned, Tim LaGasse seconded, to approve the December 6, 2021 meeting minutes as corrected to remove an incorrect date in the heading. All members present voted Yes, motion carried.

IV. NEW BUSINESS

A. Annual Election of Officers:

Bart turned the meeting over to Vern Goodwin who explained the process for election of officers and identified the current office holders. Vern then indicated he would ask for nominations for Chair and the State Planning Enabling Act does not allow an elected Township Trustee to serve as an officer. Tim nominated Bart Wangeman, with a second from Dan. Vern then asked for any additional nominations. With none being offered, a roll call vote was taken on the one supported nominee and **Bart Wangeman was elected Chair with a vote of all ayes**. Vern then turned the meeting back over to Bart.

Bart asked for nominations for Vice-Chair. Bart nominated Tim LaGasse, with a second from Dan Nowland. With no additional nominations Bart called for a roll call vote and **Tim LaGasse was elected Vice-Chair with a vote of all ayes**.

Bart then asked for nominations for Secretary and Bart nominated Charley Zimmer, with a second from Tim LaGasse. With no additional nominations Bart called for a roll call vote and **Charley Zimmer was elected Secretary with a vote of all ayes**.

B. Waterfront Overlay Application for 01163 South Shore Drive owned by Donna McIlvenna Trust (Property ID# 15-010-017-060-00):

Vern noted this is an "After-the-Fact" application as work at the site has already commenced. The Waterfront Overlay Permit is required for foundation repair on an existing boathouse. Additional permits from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) as well as a Charlevoix County Soil Erosion Permit have already been acquired.

Vern also reported the application appears to be complete and well laid out.

Bart then asked for opening comments from Kyle Wright, Architect and applicant representative. Kyle explained the failure to secure a Waterfront Overlay Permit before beginning work was an oversight. The EGLE and Soil Erosion permits were previously obtained. Bart then asked if Planning Commission members had any initial questions for Kyle but none were 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...*” Bart asked what will happen to the temporary access road and its cuts into the bank once the project is completed. Kyle responded the area will be restored once landscaping decisions are finalized. Vern noted the application will need to be revised once these plans are in place. All agreed the standard is met.
- c) “... *natural character and aesthetic value of shoreline maintained by minimizing visual impact...*” Bart noted our current Zoning Ordinance would not allow construction of a new boathouse, but this project is for maintenance of a pre-existing one. All agreed the standard is met.
- d) “... *fitted to topography to minimize loss of vegetation...*” All agreed the standard is met.
- e) “... *structures located to maintain unobstructed views...*” Bart again noted this project represents maintenance of an existing structure so no new obstruction will be created. All agreed the standard is met.
- f) “... *review by Zoning Administrator and Planning Commission...*” All agreed the standard is met.

Tim LaGasse motioned, Dan Nowland seconded, to approve a Waterfront Overlay permit as presented in an application by Gary Forbrig, agent for owner Donna McIlvena Trust dated December 6, 2021 at 00163 South Shore Drive (property ID# 15-010-017-060-00). Approval is based on the application and related prints by Machine Engineering Corporation titled “McIlvena Boat House Repairs,” Rev D (Issued for Construction) dated 1/28/20 and a review of Zoning Ordinance standards in Article VI, section 6.11D)1. Any subsequent amendments to this plan must be resubmitted to the Planning Commission for review and approval. All eyes motion passed.

C. Waterfront Overlay Application for 421 Shadow Trails Road E owned by Cynthia Kenny-Brower (Property ID# 15-010-018-039-30):

Vern noted this is also an “After-the-Fact” application as work at the site has already commenced. A zoning permit was issued for this parcel in 2020 but the applicant elected not to include landscaping at that time. Considerable work is now underway in the 40-foot vegetative buffer zone

Owner representative Mike Passino noted replacement of an existing rotting retaining wall is what prompted their current work. Bart then asked if Planning Commission members had any initial questions for Mike.

Bart questioned if some features in the plan, such as a firepit, would constitute a “structure.” Vern noted firepits were not considered structures in previous applications. Vern also noted the Zoning Ordinance allows repair of existing structures, although we can’t determine what was there previously since work has already begun. Mike stated the planned new pavers and grass replacing existing concrete will help with erosion control.

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...*” All agreed the standard is met.
- d) “...*fitted to topography to minimize loss of vegetation...*” All agreed the standard is met.
- e) “... *structures located to maintain unobstructed views...*” Not applicable as the project includes no new structures.
- f) “...*review by Zoning Administrator and Planning Commission...*” All agreed the standard is met.

Bart Wangeman motioned, Tim LaGasse seconded, to approve a Waterfront Overlay permit as presented in an application by NorthernView Homes for owner Cynthia Kenny-Brower dated October 29, 2021 at 421 Shadow Trails Road East (property ID# 15-010-018-039-30). Approval is based on the application, an undated Landscape Plan drawing by Common Ground Landscapes, a Site-Plan checklist dated 12/16/2021, and an undated narrative by Landscape Architect Maureen Parker. Approval is also based on a review of Zoning Ordinance standards in Article VI, section 6.11D)1. Any subsequent amendments to this plan must be resubmitted to the Planning Commission for review and approval. All eyes motion passed.

D. 2022 Meeting Schedule

Following discussion, the members agreed to continue scheduling regular monthly meetings on the 4th Monday of every month (except holidays) at 5:30 PM.

E. Acknowledgement of Conflict-of-Interest Provisions

Planning Commission members were asked to review the By-Law language in section 8 requiring an annual acknowledgement of understanding and intent to adhere to conflict-of-interest rules, and to return their signed individual statements to the Recording Secretary.

V. UNFINISHED BUSINESS

A. Further Discussion Regarding Minimum Square Footage for a Residential Structure in the Farm and Forest (FF) District:

Tim noted we are only considering changes to the minimum structure size – not minimum lot size. He doesn't see a problem with smaller dwellings if that's what an owner wants. If an owner wants multiple housing units the parcel would have to be split.

Dan and Bart both expressed support for requiring a foundation for any dwelling structure.

In response to a question, Vern noted no recent inquiries for home construction less than the existing minimum size.

VI. OTHER COMMUNICATIONS / REPORTS: - Vern summarized Zoning Administrator activities in 2021 for number of permits issued with a breakdown by zoning district and noted 9 divisions and reconfigurations. He also reported 3 Zoning Board of Appeals cases, all involving expansion of a non-conforming use in a conforming way.

Vern also reported recent interest in pursuing seasonal worker housing in an existing home in the R-2 District. The definition and regulations for "Family" in Article III specifically do not include a temporary or seasonal character or nature. Vern asked the members to consider the ramifications of this type of use as well as any potential regulations.

VII. ZONING BOARD OF APPEALS REPORT - The ZBA has not met since the last report.

VIII. PLANNING COMMISSIONER COMMENTS: None.

IX. CITIZEN COMMENTS ON NON-AGENDA ITEMS: None

X. NEXT MEETING: Scheduled for Monday, February 28, 2022 at 5:30 PM.

XI. ADJOURNMENT: At 7:07 PM

Prepared by

Planning Commission Approval by:

Tom Mackie, Recording Secretary

Bart Wangeman, Chair

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