

MELROSE TOWNSHIP PLANNING COMMISSION MINUTES
MELROSE TOWNSHIP HALL

REGULAR MEETING OF MARCH 27, 2023

I. Call to Order/Roll Call

A. Call to Order: Chair Bart Wangeman called the meeting to order at 5:33 PM.

B. Members present: Bart Wangeman, Julie Christy, and Dan Nowland.

C. Members absent: Tim LaGasse.

D. Staff present: Zoning Administrator Ken Lane.

II. Approval of Agenda

By consensus the agenda was approved as presented.

III. Approval of Minutes

Member Christy motioned to approve the February 27, 2023, draft minutes as presented, seconded by Member Nowland, the motion was approved unanimously.

IV. New Business

a. Parcel Division-Springvale Road-ID#15-010-010-008-70

Chair Wangeman opened this parcel division review for the Planning Commission. He asked Zoning Administrator Lane if he would like to offer any comments.

Zoning Administrator Lane stated that the property owner, Bryan Conklin, is proposing to split a 78.4 parcel of vacant land on Springvale Road into six separate parcels as depicted in the survey submitted with his parcel division application. He added that each proposed parcel will be 5 acres or more in area and have access to Springvale Road. He further added that proposed parcel number 6 will have access to Springvale Road via a 50 foot wide access easement as depicted on the submitted survey.

Zoning Administrator Lane stated that one previous split had been approved for this property in June, 2021, to effectuate the sale of the property to Mr. Conklin.

Zoning Administrator Lane referred to his analysis memo that was included in the Planning Commission meeting packets and provided an overview of the subject property. He added that the subject property is located in the FF Zoning District, which requires a minimum lot area of 5 acres and a minimum lot width of 200 feet. He further added that each proposed parcel will meet the requirements of the FF District.

Zoning Administrator Lane referred to his analysis memo and stated that the standards for approval of a parcel division as listed in Section 6 of the Township Parcel Division Ordinance was included in the memo along with his findings in relation to each standard. He added that he determined that each standard had been satisfied, including that the requirements of the State Land Division Act were met. He further added that all property taxes had been paid for the property.

Chair Wangeman asked if the applicant would like to address the Planning Commission.

Bryan Conklin introduced himself and stated that he did not have anything to add to the Zoning Administrator's comments.

Chair Wangeman stated that he agreed with the staff findings as contained within the analysis memo, and asked the Planning Commission if they agreed.

The Planning Commission by consensus agreed and determined that the requirements of the Township's Parcel Division Ordinance were satisfied.

Chair Wangeman stated that any proposed use of the parcels created after the proposed divisions had to meet the requirements of the FF Zoning District.

Bryan Conklin stated that nothing was currently planned for the property, but someday he could envision homes being built on each new parcel.

Member Christy made the following motion:

I move to approve the parcel division application submitted by Bryan Conklin for tax parcel 15-010-010-008-70 on Springvale Road, as described in the application submitted on 02/13/23 and as depicted on the survey dated 11/22/22, because the applicable standards of the Melrose Township Parcel Division Ordinance have been met.

Chair Wangeman seconded the motion, and it was approved unanimously.

b. Parcel Division-(boundary line adjustment)-01570 Old State Road

Chair Wangeman opened this parcel division review for the Planning Commission and noted it was a lot combination rather than a division. He asked Zoning Administrator Lane if he wanted to offer any comments.

Zoning Administrator Lane stated that the property owners, Daniel and Judith Shimoda, are asking to adjust the boundary line between two contiguous lots they own on Old State Road to combine two lots into one. He added that parcel ID#010-030-010-00 is a 3.2 acre parcel directly adjacent to Old State Road that contains the applicants residence, and parcel #010-030-009-00 is a 4.6 acre contiguous parcel. He further added that both parcels are in the FF Zoning District and are currently nonconforming due to their size. Zoning Administrator Lane stated that the proposed lot combination if approved will create a lot that will comply with both the lot area and width requirements of the FF District.

Zoning Administrator Lane referred to his analysis memo and stated that the standards for approval of a lot combination as listed in Section 6 of the Township Parcel Division Ordinance was included in the memo along with his findings. He added that he determined that each standard had been satisfied, including that a lot combination is considered an exempt split under the State Land Division Act. He further added that all property taxes had been paid for both properties.

Zoning Administrator Lane stated that the proposed parcel combination also complies with the requirements of the County's Equalization Department, and that those requirements were also included in his analysis memo.

Zoning Administrator Lane stated that he had spoken to the applicants, and they were unavailable to attend the meeting. He asked the Planning Commission to consider the request even though the applicants were not in attendance.

Chair Wangeman stated that he agreed with the staff findings as contained within the analysis memo, and asked the remainder of the Planning Commission if they agreed.

The Planning Commission by consensus agreed and determined that the requirements of the Township's Parcel Division Ordinance were satisfied.

Member Christy made the following motion:

I move to approve the parcel division application submitted by Daniel and Judith Shimoda to adjust the boundary line and combine tax parcel 15-010-030-009-00 and tax parcel 15-010-30-010-00 at 01750 Old State Road, as described in the application submitted on 03/14/23, because the applicable standards of the Melrose Township Parcel Division Ordinance have been met.

Chair Wangeman seconded the motion, and it was approved unanimously.

c. Waterfront Overlay Review--03595 M-75N

Chair Wangeman opened the review for the Planning Commission. Chair Wangeman asked Zoning Administrator Lane if he would like to make any comments.

Zoning Administrator Lane stated that the applicant, Drost Landscape, is requesting a permit after the fact for the removal of one hollow tree within the waterfront setback and vegetative buffer areas. He added that the applicant had paid triple the permit fee as required by the Township fee schedule for a permit after the fact.

Zoning Administrator Lane referred to his analysis memo that was included in the Planning Commission meeting packets and provided an overview of the subject property. He added that the tree removal was for maintenance on the property and the application provided that the stump was cut to ground level but the root ball remained. He added that the soil erosion impact should be minimal, if any.

Zoning Administrator Lane referred to Section 6.11 of the Township Zoning Ordinance and stated that within the vegetative buffer area the removal of trees cannot exceed 20% of a parcel, and the clearing of trees is limited to 20 feet per 100 feet of shoreline width. He added that based on his calculations, the applicants removal of one tree complied with Section 6.11.

Zoning Administrator Lane provided his opinion in relation to the graphic requirements and development review standards within 6.11 (D) of the Township Zoning Ordinance as included within his analysis memo.

Chair Wangeman asked if the applicant would like to address the Planning Commission.

Jason Porkaa with Drost Landscape stated that the one hollow tree had not yet been removed, but three smaller recently planted trees that had not survived had been removed which created the need for a permit after the fact. He added that Drost Landscape is clear on the requirements for a permit now, and will make sure to comply on future projects.

Chair Wangeman suggested that the Planning Commission initially consider the site plan data requirements listed in Section 6.11 (D) (2) of the Zoning Ordinance. Chair Wangeman stated that Zoning Administrator Lane's memo addressed each of the data requirements and determined that given the nature of the maintenance work each requirement had been satisfied or considered not applicable.

Chair Wangeman stated that he generally agreed with the staff findings, and asked the Planning Commission if they also agreed. The Planning Commission stated by consensus that they did agree with the staff findings and that the requirements of Section 6.11 (D) (2) had been met.

Chair Wangeman suggested that the Planning Commission consider the development plan approval standards listed in Section 6.11 (D) (1) of the Zoning Ordinance.

Chair Wangeman referred to Section 6.11 (D) (1) (a) and offered that the applicant had complied with the section's requirements because the submitted plans demonstrated that the proposed work met the tree removal requirements of Section 6.11. The remainder of the Planning Commission agreed and found this section was satisfied.

Chair Wangeman read aloud Section 6.11 (D) (1) (b) and offered that this standard was met because the applicant will need to obtain a soil erosion permit from the County. The Planning Commission agreed by consensus and determined that this section was satisfied.

Chair Wangeman referred to Section 6.11 (D) (1) (c) and suggested that this section was not applicable based on the staff findings. The Planning Commission by consensus agreed and determined that this section was not applicable.

Chair Wangeman read aloud Section 6.11 (D) (1) (d) and suggested that this section was satisfied because the removal of dead or dying trees was a safety issue. The Planning Commission by consensus agreed and determined that Section 6.11 (D) (1) (d) was satisfied.

Chair Wangeman referred to Section 6.11 (D) (1) (e) and suggested that this section was not applicable based on the staff findings. The Planning Commission by consensus agreed and determined that this section was not applicable.

Chair Wangeman summarized the analysis from the Zoning Administrator's memo and suggested that a motion was in order.

Member Nowland made the following motion:

I move to approve the application submitted by Drost Landscape, requesting Development Plan Review for tree removal at 03595 M75 N in Melrose Township, tax parcel 15-010-351-001-10, because the applicable standards of the Melrose Township Zoning Ordinance have been met.

Member Christy seconded the motion, and it was unanimously approved.

d. Waterfront Overlay Review--04045 M-75N

Chair Wangeman opened the review for the Planning Commission. Chair Wangeman asked Zoning Administrator Lane if he wanted to make any comments.

Zoning Administrator Lane stated that the applicant, Walloon Lake Holdings, is requesting to remove eight mature trees from the circle park property. He added that the property is located in the C-3 Village Commercial District and the Shoreline Overlay District. He further added that the proposed tree removal would occur outside of the waterfront setback and vegetative buffer areas.

Zoning Administrator Lane noted an error within his analysis memo included in the meeting packets which referred to Section 6.11 of the Township Zoning Ordinance. He added that the tree removal limitations within Section 6.11 did not apply to this project because the work was being conducted outside of the vegetative buffer area.

Zoning Administrator Lane provided his opinion in relation to the graphic requirements and development review standards within 6.11 (D) of the Township Zoning Ordinance as included within his analysis memo.

Chair Wangeman asked if the applicant would like to address the Planning Commission.

Jonathan Borisch stated that the eight trees had already been removed, so he was requesting a permit after the fact. He stated that he had paid triple the permit fee.

Zoning Administrator Lane verified the fee amount paid.

Member Christy asked why the trees had been removed.

Jonathan Borisch stated that the trees were removed so that landscaped flowers could be added to the property in the same location. He added that the remaining five mature trees behind the flowers would not be removed.

Chair Wangeman suggested that the Planning Commission initially consider the site plan data requirements listed in Section 6.11 (D) (2) of the Zoning Ordinance. Chair Wangeman stated that Zoning Administrator Lane's memo addressed each of the data requirements and determined that given the nature of the tree removal work each requirement had been satisfied or considered not applicable.

Chair Wangeman stated that he generally agreed with the staff findings. The Planning Commission stated by consensus that they did agree with the staff findings and that the requirements of Section 6.11 (D) (2) had been met.

Chair Wangeman suggested that the Planning Commission consider the development plan approval standards listed in Section 6.11 (D) (1) of the Zoning Ordinance.

Chair Wangeman read aloud Section 6.11 (D) (1) (a) and offered that the applicant had complied with the section's requirements because the area will be enhanced with the addition of the flowers. The remainder of the Planning Commission agreed and found this section was satisfied.

Chair Wangeman read aloud Section 6.11 (D) (1) (b) and offered that this standard was not applicable because of the distance of the tree removal area from Walloon Lake. The Planning Commission agreed by consensus and determined that this section was not applicable.

Chair Wangeman referred to Section 6.11 (D) (1) (c) and suggested that this section was not applicable based on the staff findings. The Planning Commission by consensus agreed and determined that this section was not applicable.

Chair Wangeman read aloud Section 6.11 (D) (1) (d) and suggested that this section was satisfied based upon the applicant's assurance that the remaining five trees would not be removed from the property. The Planning Commission by consensus agreed and determined that Section 6.11 (D) (1) (d) was satisfied.

Chair Wangeman referred to Section 6.11 (D) (1) (e) and suggested that this section was not applicable based on the staff findings. The Planning Commission by consensus agreed and determined that this section was not applicable.

Chair Wangeman made the following motion:

I move to approve the application submitted by Walloon Lake Holdings, LLC, requesting Development Plan Review for tree removal at 04045 M75 N in Melrose Township, tax parcel 15-010-009-095-10, because the applicable standards of the Melrose Township Zoning Ordinance have been met.

Member Nowland seconded the motion, and it was unanimously approved.

V. Unfinished Business

a. 2022 Annual Report

Zoning Administrator Lane presented a revised draft 2022 Annual Report to the Planning Commission. He stated that modifications to the draft report had been made as requested by the Planning Commission at the February meeting.

Chair Wangeman made the following motion:

I move to approve the 2022 Melrose Township Planning Commission Annual Report and direct the Zoning Administrator to send the approved annual report to the Township Board.

Member Christy seconded the motion, and it was unanimously approved.

b. Recreation Plan

Zoning Administrator Lane stated that he has been in communication with Jennifer Neal from Networks Northwest, and she is planning to attend the April Planning Commission meeting to present a visual preferences survey to the Planning Commission based upon the discussion at the February meeting.

Zoning Administrator Lane stated that Ms. Neal has informed him that the visual preferences survey is designed to further the discussion on improvements to the swimming beach, the playground, and the boat launch. He added that Ms. Neal intends to present slides and poster boards.

VI. Other Communications/Reports

A Zoning Administrator report and planning report were provided to the Planning Commission.

VII. Zoning Board of Appeals Report

Chair Wangeman stated that the ZBA had not met since the last Planning Commission meeting, so he had nothing to report.

VIII. Planning Commissioner Comments

Member Christy inquired about the plans for the former Elvyn Lea Lodge.

Zoning Administrator Lane provided a summary of the plans for the property based on his meeting with the new owners. He added that he will monitor the property to determine its current use.

IX. Citizen Comments on Non-Agenda Items

Doug Jenkins introduced himself as an applicant for the open position on the Planning Commission.

X. Next Meeting Scheduled

April 24, 2023.

Zoning Administrator Lane stated that a mass gathering permit for the Flywheelers event and the Recreation Plan presentation will be on the meeting agenda.

Zoning Administrator Lane stated that he had met with the owner of Bear River Health, and that the owner intends to reapply for site plan review in relation to the proposed classroom buildings. He further added that the list of site plan revisions previously discussed by the Planning Commission for the classroom project had been sent to the engineering firm working with Bear River Health at the request of the property owner.

XI. Adjournment

At 6:27 P.M.

Approved—04.24.23

Prepared by:

Planning Commission Approval by:

Ken Lane, Zoning Administrator/Recording Sec.

Julie Christy, Secretary

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