

Draft

Planning Commission Regular Meeting
May 9, 2012

Present: Chair Bruce Barker, John Stroud, Dan Fleming, Dave Campbell, Paul Macyauski, Judy Graff; Julie Cowie, recording secretary pro tem; and three interested persons. Dian Liepe was excused.

1. **Call to Order:** Chair Barker called the meeting to order at 7:04 pm and reviewed the agenda.
2. **Minutes:**
 - 4/11/12 Public Hearing and Special Meeting: Dan Fleming moved approval, supported by John Stroud; MSC.
 - 4/11/12 Regular meeting of 7 pm, approval moved by Dan Fleming and supported by John Stroud (with the need to correct the mistyped heading of the minutes); MSC.
 - 4/18/12 Special meeting at 6 pm, Dan Fleming moved approval, supported by John Stroud, amended to correct the name from Kenneth to Chuck Donovan; MSC.
3. **Correspondence & public comment:** none
4. **Report from Township Board Representative:** in process with Maple Grove; getting ready to pave the Nature Preserve; a Coastal Management Zone grant application has been submitted for half of the funding for stairs, viewing deck, and pathways; approximately \$46,000 was requested for a \$92,000 project.
5. **Report from the ZBA Representative:** fence variance; extensive discussion on Haven Shores and the five-house setback; Brian Bosgraaf brought new information to the ZBA that could be informative for the Planning Commission.
6. **Water and Sewer Representative:** Chair Barker reported that Miami Park residents currently in a private septic system that will join the municipal system. The private system pipes will remain in place and there will be one connection point to the municipal system through Boardwalk.
7. **Resolutions requiring Planning commission action:** none.
8. **New Business:** Zoning Ordinance review, discussion, and plan of action: A memo from Attorney Ron Bultje dated 4/25/2012 and addressed to Mr. Al Ellingsen informed the discussion (attached).

Front Lot Line (1.A): the specification, *Lake Michigan*, has been added.

Brian Bosgraaf commented that the ordinary high water mark, has two definitions: an elevation of 581.5', per Army Corps of Engineers; and the Michigan statute names 580.5. Mr. Bosgraaf also wondered if the use of the phrase "ordinary high water mark" in the proposed text actually refers to the line where beach grass meets sand that moves, known as the erosion hazard line.

There is a need to have the Zoning Administrator and the attorney clarify this. The only land in Casco Township affected by this ruling is the Moran Property. Everything else is regulated by the high risk erosion designation currently in place. LR-B is the zoning for Moran and the 600' of frontage. Lands adjacent to the Moran parcel to the North and South are zoned Low density residential and High density residential.

The Planning commission brainstormed definitions for "front lot line," including the following ideas:

- 1) The front lot line shall be the ordinary high water mark, as determined by the army corps of engineers, set at 581.5'.
- 2) The front lot line is the bluff edge.
- 3) The front lot line is the erosion hazard line.
- 4) The front line is the DEQ's method of identifying it.

Dan Fleming asked if, on 2-12, Frontage, shoreline needs to be examined.

The proposed new definition of **2.A. The Front Setback Line** was agreeable to the planning commission.

Section 3: Projections into Yards. (D. is a proposed addition to the ordinance).

Brian Bosgraaf proposed adding the phrase "or deck" so that it reads, *under such a stairway or deck*. This was acceptable to the Planning Commission.

Section 4: discussion ensued about Section 4.07. The convenience of a chart is useful, but this chart needs to be completely accurate and without asterisks. The preference is for the chart to be kept and updated.

Section 5: same as section 4.

Section 6: Agricultural District: this action sounded good to the commissioners.

Sections 7 & 8: the proposed change was acceptable to the commissioners.

Section 8: Section 7.03A: does the phrase, "the front yard setback" mean the same as "front setback line (p. 1 of the proposed changes)?" Are these two phrases the same? Removal of ambiguity is desired.

Brian Bosgraaf stated that the setback from Lake Michigan in adjacent jurisdictions is not regulated differently from other setbacks. Only Casco Township has setbacks so far from the high water mark.

The Planning commission will resume this discussion next week.

Public comment:

Robert Sherwood, 916 Adams Rd, asked if "erosion hazard line" is an official term recognized by the Army Corps of Engineers? If so, it would be a moving target too. (The term was unfamiliar to persons present).

Brian Bosgraaf, representing The Morans on 74th Street, questioned the rear yard setback 7.03B change; it needs to be clear how this impacts other parcels.

Paul Macyauski stated that this works if lakefront homes have two front yards. At any rate, this language needs to be used cautiously.

Brief discussion ensued about homes, 5 on either side, measured from the ordinary high water mark. This line moves laterally, horizontally, and inconsistently.

Brian Bosgraaf opined that, pertaining to the last ZBA meeting and comments made by a Mr. Boler, neighbors are fighting the proposed developed of the Moran property and have hired Mr. Zimmerman at Varnum due to a personal grudge. Their site condominium has building envelopes. These building envelopes go over the bluff in two places. They didn't have to abide by the five house setback.

Gary Jonna, regarding single family and two family in the proposed ordinance: in a high density residential, if you try to use single family and two family setbacks and lot sizes, you won't achieve high density.

Judy Graff asked if Ron Bultje, Alfred Ellingsen, and/or Patrick Hudson would be present at the public hearing scheduled for May 16. Their presence is desired.

Graff **moved to adjourn**, supported by John Stroud; adjourned at 9:20 p.m.

Minutes recorded by Julie M. Cowie

attachment: Memo from R. Bultje to A. Ellingsen dated 4/25/2012