

PLANNING COMMISSION MINUTES

DECEMBER 20, 2018

The Clam Lake Township Planning Commission Zoning Ordinance Work Session was called to order by Chairperson Stoutenburg at 5:00 p.m. at the Clam Lake Township Hall located at 8809 E. M-115, Cadillac, MI 49601.

Planning Commissioners Present: Stoutenburg, Flint, Wade

Planning Commissioners Absent: Morin

Planning Commission Staff Present: Zoning Administrator Warda

Others Present: Claire Karner, Beckett & Raeder

**ZONING ORDINANCE WORKSESSION**

Jason Roorda, 10700 Pine Shore Drive, Acting President of the Stone Ledge Lake Association stated that the Association invested $6-10,000 for stocking fish in the lake and $20,000-30,000 for weeds. He said as a private lake, the State does not assist with fish stocking. He said two years ago, the Association started a wellness group with other lakes. He said for the most part, the Association is maintaining the lake. He said he thinks infringing on lake rights with greenspace requirements, that the lots are narrow and the buildings close.

Vicki Long of 10840 Lockwood Drive, stated she thinks the greenbelt is confusing as buildings are close to the water.

Mr. Roorda said the Association is concerned about septics. He said they educate the lake owners and send out emails.

Ms. Long stated that they do not have a place to get rid of leaves. Pine needles are also an issue.

Mr. Roorda added that they burn leaves away from the lake. He asked what the push for the greenbelt area was.

Claire Karner of Beckett & Raeder responded that the impetus was the Master Plan Survey, the desire to preserve water quality of inland lakes. She said the recommendations are from the Water Council, to be 25’ back from water’s edge. She said it wouldn’t apply to existing landowners, only new construction. Ms. Karner added that Hayes Township in Charlevoix County based setbacks on historic setbacks with different overlay zones.

Ms. Karner stated that a septic ordinance has been discussed through a police ordinance. She said there is no State Sanitary Code. She said 15 communities have septic ordinances and that the Health Department can test.

Mr. Roorda stated that according to the Drain Commissioner, they have one of the cleanest lakes in the State.

Mr. Roorda said that there is no public access. He said on Waldeck island, the Conservancy posted “no snowmobile” signs.

Discussion followed on patios in the greenspace area, maybe a % of impervious surface and no fertilizers in the 25’ greenspace.

Ms. Karner said she will refine the lake protection section.

Ms. Karner stated that Zoning Administrator Warda sent her the Recreational Marijuana Ordinance from the Clam Lake Township that she will incorporate in to the Zoning Ordinance.

Discussion followed on the DDA’s request to remove the sidewalk and landscaping requirements. The Planning Commission agreed with removing the landscape requirement between parking lots and public streets. As to the sidewalk requirement, the Planning Commission felt that should be handled during the Site Plan process to require sidewalks where feasible for connectivity.

Discussion followed on advertising on vehicles, outdoor merchandise display and number of vehicles displayed for sale.

Peter Nemish of 20285 130th Avenue, Tustin, said he will send wind turbine ordinance from Sherman Township in Osceola County.

Motion by Member Wade supported by Member Flint to adjourn the work session.

YEAS: Stoutenburg, Flint, Wade

NAYS: None

Motion carried.

Work session adjourned at 6:02 p.m.

The Clam Lake Township Planning Commission Zoning Regular Meeting was called to order by Chairperson Stoutenburg at 6:03 p.m. at the Clam Lake Township Hall located at 8809 E. M-115, Cadillac, MI 49601.

**ROLL CALL**

Stoutenburg – Present

Morin – Absent

Wade – Present

Flint – Present

Planning Commissioners Present: Stoutenburg, Wade, Flint

Planning Commissioners Absent: Morin

Planning Commission Staff Present: Zoning Administrator Warda

**APPROVAL OF MINUTES**

Motion by Member Wade seconded by Member Flint to approve the November 15, 2018 minutes as presented.

YEA: Stoutenburg, Wade, Flint

NAY: None

Motion carried.

**APPROVAL OF AGENDA**

Motion by Member Wade seconded by Member Flint to approve the agenda as presented.

YEA: Stoutenburg, Wade, Flint

NAY: None

Motion carried.

**PUBLIC COMMENT:** None

**SCHEDULED PUBLIC HEARINGS:**

1. Rezone Request – K & K Forest Products – 8515 E M-115 Hwy – 2109-21-4201

Rezone request from Residential to Heavy Commercial (C-2) to allow 450 mini storage units upon build out. 225 Units Phase I

Motion by Member Wade supported by Member Flint to open the Public Hearing.

**ROLL CALL**

Stoutenburg – Yes

Morin – Absent

Wade – Yes

Flint – Yes

Motion carried.

Mr. Timmons passed out a handout to the Planning Commission and stated that Kevin Proctor purchased the property five years ago as commercial. He said it has been operating and is assessed as commercial. He said Phase I would be 225 units, fully fenced. He said lighting would be downward. He said there would be a kiosk machine for entry and 3-4 employees. He referred to page two of the handout which states minimized adverse visual impacts. He also referred to an article in the handout as to the recommendation of a round-a-bout at M-115 and Mack Trail which he feels would address the traffic concerns. Mr. Timmons referred to an email from Claire Karner as to the rezone request. Also, in the handout was a petition in support of the rezone signed by several area residents. Mr. Timmons added that a study indicates 7.3 cars per day and that folks usually travel 2-3 miles for storage facilities.

Mr. Peter Nemish of 20285 130th Ave, Tustin stated that he is a Coldwell Banker Broker and he thinks the Highest & Best Use is commercial and will not impact negatively.

Motion by Member Wade supported by Member Flint to close the Public Hearing and go back into regular session.

**ROLL CALL**

Stoutenburg – Yes

Morin – Absent

Wade – Yes

Flint – Yes

Motion carried.

Chairman Stoutenburg stated that it is not about the storage units, it is about C-2 zoning and any uses that could go in a C-2 zone such as a gas station. He said that was not the Planning Commission’s intention when we did the Master Plan. He said there is a lot of residential around there on 43 Road and M-115 and he wants to preserve that.

Member Flint stated he doesn’t see any residential going in there.

Zoning Administrator Warda stated that they can continue the office use and there are other uses permitted such as assisted living, group day care, churches, medical clinics & multi-family.

Motion by Chairperson Stoutenburg supported by Member Wade to deny the rezone request based on the Master Plan and the desire to balance growth.

**ROLL CALL**

Stoutenburg – yes

Morin - absent

Wade – yes

Flint – no

The motion died from lack of support.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**OTHER BUSINESS:** None

**ADMINISTRATIVE ITEMS:** None

**ADJOURNMENT**

Motion by Member Wade supported by Member Flint to adjourn the Planning Commission Meeting.

YEA: Stoutenburg, Wade, Flint

NAY: None

Motion carried.

Meeting adjourned 6:22 p.m.

**Next Meeting – January 22, at 6:00 p.m., Zoning Workshop 5:00 p.m.**