

**Melrose Township Planning Commission Minutes
Melrose Township Hall
Regular Meeting of November 25, 2013**

I. CALL TO ORDER / ROLL CALL

A. Call to Order: Chair Tony Pizii called the meeting to order at 7:00 PM.

B. Members present: Leonard Meadows, Bart Wangeman, Bob Marquardt, and Tony Pizii.

C. Members absent: Barbara Hanahan (Excused)

D. Staff present:
Zoning Administrator Randy Frykberg and Recording Secretary Tom Mackie.

II. APPROVAL OF AGENDA

The proposed meeting agenda was approved by consensus.

III. APPROVAL OF MINUTES

Bob Marquardt motioned, Bart Wangeman seconded, to approve the October 28, 2013 regular meeting minutes, as presented. All Ayes, motion carried.

IV. NEW BUSINESS

A Public Hearing for Parcel Division / Reconfiguration Amendment

Tony opened the public hearing at 7:03 PM and Randy described the proposal to amend the Township Zoning Ordinance for land division / property reconfiguration review and approval. As proposed, future land division / property reconfiguration applications would be processed administratively by the Zoning Administrator rather than come before the Planning Commission. Randy noted the State Land Division Act regulates this process anyway, so the proposed amendment will save an applicant both time and application fees. He then described the 2-step approval process consisting of a preliminary informal review followed by a final review that would require a survey and other documentation.

Randy noted the proposal also includes correction of the agency notification requirements to conform to current state regulations, as well as assigning this responsibility to the Zoning Administrator rather than the Township Clerk. Additionally, the word 'Proprietor' has been changed to 'Applicant' throughout the language.

Bart noted the proposal provides for appeal to the Zoning Board of Appeals rather than the Planning Commission. Randy stated this is in conformance with earlier discussion.

Bart asked if the words '...not resulting in a subdivision...' in the first paragraph would be interpreted as the language only applying to parcels not part of a sub-division. Randy responded that sub-divisions are controlled by state regulations that require Township Board approval.

Bart noted paragraph D2) only requires evidence of public utility easement if the parcel will be a development site. Randy stated a parcel not intended to be developed does not have to meet requirements for accessibility and easements.

Bart noted paragraph G) now includes a requirement that any approval letter includes language absolving the Township of liability if a building permit is not issued for parcels less than 1 acre in size. Randy responded this is required by the state act but is not currently included in the zoning ordinance.

Randy noted this public hearing was properly advertised but he has received no public comment in advance of the hearing. Tony asked for public comment from anyone in attendance. With none offered, Tony closed the public hearing at 7:18 PM.

Tony asked for additional Planning Commissioner comments or questions. Randy then explained the process for approval of a zoning ordinance amendment, noting the proposal has already been submitted to the County Planning Commission for their review.

Bob Marquardt motioned to recommend the Township Board amend the zoning ordinance to revise the approval process for land divisions / reconfigurations in accordance with the proposed language. 2nd by Leonard Meadows. All ayes, motion carried.

B Public Hearing for C-3 Village Commercial Amendment

Tony opened the public hearing at 7:23 PM and Randy described the proposal to amend section 6.6 of the Township Zoning Ordinance for allowed uses in the Village Commercial district. He noted that lodging facilities have been previously discussed but are not currently allowed for this district. This is an opportunity for a major clean-up of the language, as the present listing of allowed uses is too specific which results in many potential uses not being allowed.

Randy suggested one issue to consider is whether an Inn can operate exclusively or must be combined with another allowed commercial use. Bob stated other uses should be allowed with an Inn, but not required. Leonard expressed agreement. By consensus everyone agreed to strike the words "...when combined with one or more of the above allowed uses (1 through 6)" from paragraph B7).

Randy stated another clarification to allowed uses will add "except dry boat storage and accessory uses" after "Apartments above all of the allowed uses" in paragraph B12). The intent is to eliminate residential use above a non-commercial use in the future.

Approved

Finally, the rear yard setback requirements in paragraph D3) were clarified to distinguish lake front from non-lakefront parcels and recognize regulations of the Walloon Lake Shoreline Overlay Protection District may be applicable.

When Tony asked for comments on this proposal Bart suggested the 30 day maximum for lodging in paragraph B7) may be excessive. Bob stated this is an industry standard. Randy noted this requirement would be tough to oversee, but 30 days is easier to determine and enforce.

Bart expressed concern the 10 foot water depth permitted for docks in paragraph F1) may be excessive and suggested reducing this to 6 feet. Leonard expressed agreement. Randy stated it does seem excessive but the language was taken from other regulations. He noted we really don't have jurisdiction over dock length anyway and Bart suggested striking all references to water depth.

Bart suggested striking the words "...where possible..." from paragraph F4) so developers would be required to ensure new or altered structures will not be damaged by flooding and soil erosion will be avoided. General agreement was expressed.

With no further comment offered, Tony closed the public hearing at 7:50.

Bart Wangeman motioned to recommend the Township Board amend the zoning ordinance to revise the C-3 district language of paragraph 6.6 as proposed, striking the words "...when combined with one or more of the above allowed uses (1 through 6)" from paragraph B7), striking the words "...and shall not be longer than is required to reach a water depth of ten (10) feet at normal low water" from paragraph F1), and striking the words "...where possible..." from paragraph F4). 2nd by Bob Marquardt. All ayes, motion carried.

V. UNFINISHED BUSINESS

Randy stated we will plan to resume discussion on the Master Plan update at the next meeting.

VI. OTHER COMMUNICATIONS / REPORTS

Randy reported that Consumer's Power will not allow attaching a banner to their utility poles. A plan to promote business in the village area by extending a banner across M-75 during the holiday season had previously been proposed.

Randy noted a meeting is scheduled for next Tuesday with MDOT to discuss highway right-of-way development in the village. Jonathon Borisch stated MDOT had 10 issues resulting from their last meeting, and the 1:00 PM meeting on December 2nd is intended to review the progress toward their resolution.

A Planning Essentials workshop is scheduled for December 3rd from 6 to 9 PM in Bear Creek Township.

VII. PLANNING COMMISSIONER COMMENTS

None

VIII. CITIZEN COMMENTS

None

IX. NEXT MEETING

Scheduled for January 27th. Bob noted he will not be in attendance.

X. ADJOURNMENT

The meeting was adjourned at 8:05 PM.

Prepared by:

Planning Commission Approval by:

Tom Mackie, Recording Secretary

Barbara Hanahan, Secretary

Copies: Melrose Township Board, Planning Commission Members, Township web site