

# BAY TOWNSHIP PLANNING COMMISSION

## MAY 2, 2017 MEETING MINUTES

### APPROVED

#### CALL TO ORDER

Dave Skornia called the meeting to order at 7:00PM and led with the Pledge of Allegiance. Also in attendance were Steve Van Dam, Wendy Simmons, Jamie Shepherd, Joe Jones, James G. Vanek and planner Claire Karner. Lynn Maxwell was absent.

#### PRIOR MEETING MINUTES

**MOTION by Van Dam, seconded by Simmons, to dispense with the reading of the March 7, 2017 Planning Commission regular meeting minutes, passed upon unanimous affirmative vote of the Board Members.**

**MOTION by Simmons, seconded by Shepherd, to approve the March 7, 2017 Planning Commission regular meeting minutes as amended, passed upon unanimous affirmative vote of the Board Members.**

#### AGENDA APPROVAL

**MOTION by Van Dam, seconded by Jones, to approve the agenda as presented, passed upon unanimous affirmative vote of the Board Members.**

#### PUBLIC COMMENT

Skornia opened public comment at 7:03PM.

Chris Frasz: Had trouble navigating the township website to find the proposed zoning ordinance text amendment document being considered tonight.

Skornia closed public comment at 7:04PM.

#### PRELIMINARY PRESENTATION PET CLUB SPECIAL USE PERMIT

Zoning Administrator Ron Van Zee explained that next Wednesday the Planning Commission will be holding a public hearing to consider the Special Use Permit for a pet boarding and kennel business on Pincherry Road, known as the Pet Club. Van Zee explained the property has been previously used as a kennel, but no special use permit was ever granted for the property.

Proposed property owner David Beek gave an overview of their proposed business, describing the outdoor dog runs, the kennel area, proposed new building for indoor dog play area, and minimal retail department.

#### ACCESSORY BUILDINGS ON VACANT PARCELS PUBLIC HEARING

Skornia opened the public hearing on the proposed text amendments to the Bay Township Zoning Ordinance at 7:30PM. Planner Claire Karner gave an overview of the proposed text amendment which would allow an accessory building on a vacant parcel by way of the special use permit process.

The Planning Commission felt an "intent" statement should be included, and other Planning Commission members suggested of minor changes

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Skornia opened public comment at 7:31PM.

Xavier Gaudard: Lives in the Villa de Charlevoix and has two lots. Questioned the definition of “contiguous”.

Richard Brown: Lives in the Villa de Charlevoix and is on their Architectural Control Board. The subdivision has bylaws stating a property owner cannot build an accessory building without a primary residence on it.

Chris Frasz: Agreed an intent or purpose statement would be helpful.

Had a question on the intent of the provision the accessory building must be “well screened”.

Also wondered if the site plan review is a separate process or is it part of the special use permit process. Is also concerned with the deed restriction requirement.

David Beek: Feels this is a good option by Bay Township residents. He is a realtor and a common question buyers have is whether an accessory building is allowed on the property.

Skornia closed public comment at 8:02PM.

The Planning Commission agreed the amendment was ready to forward onto the Charlevoix County Planning Commission for their review and comment.

**MOTION by Simmons, seconded by Van Dam to forward the proposed text amendments to the Bay Township Zoning Ordinance Articles IV, VII, VIII, IX and XII pertaining to allowing Accessory Buildings on Vacant Lots to the Charlevoix County Planning Commission for their review and comment, passed upon unanimous affirmative vote of the Board Members.**

### COUNTY PLANNING COMMISSION COMMENT ON ACCESSORY DWELLING UNITS

Karner explained she integrated the County Planning Commissions comments into the draft ordinance.

The Planning Commission reviewed the proposed text amendment, made minor grammatical changes and agreed the amendment was ready to forward onto the Board of Trustees for their review and approval.

**MOTION by Van Dam, seconded by Maxwell to forward the proposed text amendments to the Bay Township Zoning Ordinance Articles IV, VII, VIII, IX and XII pertaining to allowing Accessory Dwelling Units on to the Charlevoix County Planning Commission for their review and comment, passed upon unanimous affirmative vote of the Board Members.**

### MINIMUM LOT WIDTH AND BUILDING ENVELOP DEFINITIONS

The Planning Commission deliberated on the drawings for “Lot Width” and “Lot Width, Waterfront” and agreed a few minor changes are needed to clarify the two definitions.

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The Planning Commission agreed the amendment was ready to forward onto the Charlevoix County Planning Commission for their review and comment.

**MOTION by Simmons, seconded by Shepherd to forward the proposed text amendment to the Bay Township Zoning Ordinance Article III pertaining to new definition “Building Envelop” and revised definitions for “Lot Width” and “Lot Width, Waterfront” to the Charlevoix County Planning Commission for their review and comment, passed upon unanimous affirmative vote of the Board Members.**

#### OUTDOOR WOOD FURNACE ARTICLE

The article has been forwarded onto Simmons so it can be included in the summer newsletter summarizing the health impacts of outdoor wood furnaces, the American Lung Associations grant program to upgrade outdoor wood furnaces, and the planning commissions revised approach on using the zoning ordinance to protect public health, instead of through a “stand alone” ordinance.

#### MASTER PLAN SURVEY

Will be discussed at the June meeting.

#### ZONING ADMINISTRATORS REPORT

Zoning Administrator Ron Van Zee reviewed the past months activities regarding Zoning Permits issued, Zoning Ordinance enforcement actions taken, and other related zoning activities.

#### BOARD OF TRUSTEES REPORT

*Note: See the Board of Trustees April 13, 2017 minutes for further detail.*  
Vanek reported on the Board of Trustees April meeting.

#### ZONING BOARD OF APPEALS

No meeting.

#### PUBLIC COMMENT

None received.

#### ADJOURNMENT

**MOTION by Simmons, seconded by Vanek, to adjourn the meeting at 9:37PM, passed upon unanimous affirmative vote of the Board Members.**

Respectfully submitted,

James G. Vanek  
Planning Commission Secretary