

BAY TOWNSHIP PLANNING COMMISSION
Regular Meeting Minutes
June 7, 2022
Bay Township Hall

CALL TO ORDER

Dave Skornia (Chair) called the meeting to order at 7:00PM and led with the Pledge of Allegiance. Also, in attendance were, Steve Van Dam (Board of Trustees Rep), Jamie Shepherd, Joe Jones (Secretary), Nancy Blandford (ZBA Rep), Barb Mathes-Alguire (PC Vice-Chair and Parks and Rec Rep). Also present: Ron Van Zee (Zoning Administrator), Kristin Baranski (Recording Secretary) and Kacey Cook (Tip of the Mitt)

PLEDGE OF ALLEGIANCE

AGENDA AND

PRIOR MEETING MINUTES

MOTION BY Blandford, seconded by Van Dam, to approve the presented April 5, 2022 regular Planning Commission meeting minutes and the amended June 7, 2022 agenda passed upon unanimous affirmation vote of the Board Members.

Yeas: Skornia, Blandford, Shepherd, Mathes-Alguire, Van Dam, Jones

Nays: None

PUBLIC COMMENTS

Public comments opened and closed at 7:06 pm with no comment on non-agenda items.

ZONING BOARD OF APPEALS 17.2 LANGUAGE DISCUSSION

Nancy Blandford shared with Planning Commission difficulties the Zoning Board of Appeals has encountered with the Ordinance, in particular the language in Section 17.2. The ZBA seeks the Planning Commission to

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review that section and define the following terms: STRUCTURE and REBUILD.

BRI REPORT

NON-CONFORMITY discussion included:

- Needs to be fair and responsible
- Ordinance was adopted in 1964, is it still the vision for today
- Does it make sense to force some parcels to be non-conforming; is it possible to make particular parcels currently non-conforming into conforming (overlay districts)
- 17.2 and 17.5 conflicting
- The difference between maintaining a non-conformity and increasing a non-conformity property
- Waterfront and Road Ways affect non-conformity
- Courts ruled against tight restrictions on Old Mission Point (limit on how many restrictions can be imposed)
- BRI report is MORE restrictive
- Ordinance is broken and needs to be worked on
- Legal lots of record that do not meet current requirements could have different setbacks (Overlay Districts)
- Clear intent of Ordinance is essential to the ZBA
- Consensus of Planning Commissioners for clarification on Building new within the footprint of a legal non-conforming vs spatial envelope vs ZBA case
- Clarity of definition between footprint of living space/blank footprint/porch/deck/etc

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ARTICLE 6 DRAFT LANGUAGE REVIEW

Planning Commission reviewed Article 6 Language with input from Kacey Cook

- Appendix should have latin as well as common plant names
- Guide for percentage of plantings and how to arrange to protect lakes
- Definitions need to be reviewed and edited
- Waterfront Areas Regulated: shoreland protection strips language
- Illustrations are helpful to reinforce purpose of regulations
- Waterfront/front yard setbacks
- Shoreland Protections Strip- purpose; location; practices, native plants, invasive species, allowances, restoration

ZONING ADMINISTRATOR REPORT

Van Zee presented an oral report.

ZONING BOARD OF APPEALS REPORT

N/A

BOARD OF TRUSTEES REPORT

Van Dam presented a Board of Trustees report.

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OTHER N/A

CORRESPONDANCES

N/A

PUBLIC COMMENTS Public comments opened and closed at 9:26 pm with no comment.

ADJOURNMENT

MOTION by Van Dam, seconded by Blandford, to adjourn at 9:27 pm, passed upon unanimous affirmative vote of the Board Members.

Yeas: Skornia, Blandford, Shepherd, Van Dam, Jones, Mathes-Alguire

Nays: None

Respectfully Submitted,

Kristin Baranski
Recording Secretary