

**Pentwater Township Planning Commission
500 N. Hancock St,
Pentwater, Michigan 49449**

June 11, 2024

Chairperson Tony Monton called the in-person meeting to order at 6:00 pm. The Pledge of Allegiance was recited.

ROLL CALL

Terry Cluchey	Present
Paula DeGregorio	Present
Heather Douglas	Present
Buz Graettinger	Present
Patrick Hooyman	Present
Tony Monton	Present
Peter Zangara	Present

Keith Edwards, the Zoning Administrator, was present at the meeting.

APPROVAL OF AGENDA, MINUTES AND CHAIRPERSON'S REMARKS

Heather Douglas moved to approve the agenda as presented, seconded by Buz Graettinger. All ayes and the agenda was approved.

Paula DeGregorio made a motion to approve the minutes of the April 23, 2024 Regular Meeting as presented and Peter Zangara seconded. All ayes and the minutes of the April 23, 2024 meeting were approved.

Chairperson Tony Monton asked if there was any conflict of interest to be identified in accordance with the items on the meeting agenda. No conflicts of interest were identified.

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA – None

PUBLIC HEARING

A. Future Land Use Map Designations – 56th Avenue (north of Oceana St. and Park St.) North of Hammett Road, Parcel Nos. 64-001-013-100-02 & 64-001-100-022-00. Considering change from RR, Rural Residential to Low Density Residential.

Chairperson Tony Monton opened the public hearing at 6:03 pm.

Tom Pell of 590 N. Oceana St stated that access to the subject property is only via Oceana St. (within the Village limits) to 56th Avenue. Oceana Street is in poor condition and is a dirt road. He is concerned about more cars and traffic on the road. He also stated that the Village of Pentwater and the Oceana County Road Commission do not address his concerns. The road is narrow, muddy and dusty. No utilities are available. He is not in favor of more traffic on the road. There is a business down the road and there is no pick-up of leaves (from the Village).

Jeff Wrisley of 5566 W. Branch Street is in favor of the proposal to help Pentwater grow and provide additional housing.

Curt Beenen of 8043 N. 56th Avenue is in favor of the proposal and widening of 56th Avenue.

Seeing no other requests to comment, Chairperson Tony Monton closed the public hearing at 6:13 pm.

OLD BUSINESS

A. Future Land Use Map Designations – 56th Avenue (north of Oceana St. and Park St.) North of Hammett Road, Parcel Nos. 64-001-013-100-02 & 64-001-100-022-00. Considering change from RR, Rural Residential to Low Density Residential.

The Planning Commission voiced their concerns over the reported road conditions of 56th Avenue. When asked about access for fire apparatus, Terry Cluchey, Secretary / Treasurer of the Fire Department and Planning Commission explained that there is adequate access for fire apparatus for the subject properties.

Motion by Heather Douglas, Seconded by Peter Zangara to postpone a recommendation to the Township Board regarding the proposed change to the Future Land Use Map pending further discussion by the Planning Commission at their August, 2024 meeting. Patrick Hooyman expressed his opposition to

postponing a decision for future discussion and after other discussion among the Planning Commissioners, especially since the request was not for rezoning at this time, Heather Douglas with drew her motion to postpone and Peter Zangara agreed.

Patrick Hooyman offered a new motion to recommend the Township Board consider changing the Future Land Use Map for the subject properties from RR, Rural Residential to LDR, Low Density Residential. The motion was seconded by Terry Cluchey. All Ayes and the motion was passed unanimously.

B. Discussion of Zoning Ordinance regulations for retaining walls.

Chairperson Tony Monton summarized the previous discussion of the Planning Commission on this topic. Planning Commissioners briefly discussed the revised memorandum originally dated February 8, 2024 and the supporting materials submitted by Zoning Administrator, Keith Edwards. Planning Commissioners suggested the Zoning Ordinance might be improved to require that retaining walls meet the setbacks required for other structures, and safety rails for walls that are 30 inches or more above the adjacent grade. Mr. Edwards reported that a building permit is technically required for retaining walls that measure 48 inches or more from the bottom of the footing to the top of the wall above grade. Additionally, Mr. Edwards reported that according to Building Inspector Randy Miller, the Building Department has not sought enforcement of securing building permits and inspections for retaining walls. Mr. Edwards also reported that Mr. Miller would welcome a Zoning Ordinance amendment that required a Building Permit be secured for retaining walls, the subsequent inspections including railings for public safety similar to the requirement for residential decks.

Mr. Edwards offered, based on the consensus of the Planning Commission, that he would ask the Township Attorney to draft such a Zoning Ordinance amendment for consideration at the August, 2024 meeting of the Planning Commission.

NEW BUSINESS

A. Proposed expansion of nonconforming deck – 9595 N. Bus. Rt. US 31, Parcel No. 64-001-200-010-00.

Ken Timko, the owner of the property, is requesting a Zoning Permit to construct an addition to the deck on the west and north sides of the existing home on Bass Lake.

According to the applicant's survey and site plan submitted, the existing deck is within 9 feet of the west property line adjacent to 9593 N. Bus. Rt US 31, where 10 feet is required. The applicant seeks to expand the deck to the north toward Bass Lake in line with the existing 9 ft. setback on the west side. When complete, the deck will measure approximately 34 ft. x 16 ft. The existing nonconformity on the west side of the home will not be expanded or exacerbated.

Because the conditions of Section 3.24.B.1a-1d and Section 3.24.B.8 are met according to my review, Staff recommends the Planning Commission consider approval of the proposed nonconforming deck expansion for 9595 N. Bus. RT US 31.

Motion by Buz Graettinger, seconded by Heather Douglas to approve the nonconforming expansion of the deck at 9595 Bus. Rt. US 31 as recommended by Staff. All ayes and the motion was approved unanimously.

B. Annual Meeting – Election of Officers:

- i. Chairperson
- ii. Vice Chairperson
- iii. Secretary

Motion by Peter Zangara, seconded by Terry Cluchey to retain the existing officers of Tony Monton as Chairperson, Paula DeGregorio as Vice-Chairperson and Heather Douglas as Secretary for the 2024 – 2025 term. All Ayes and the motion to approve the slate for Planning Commission officers was approved unanimously.

DEPARTMENT COMMITTEE REPORTS

Keith Edwards Zoning Administrator and ZBA reports were accepted by the Planning Commission.

OTHER ITEMS FROM PLANNING COMMISSION MEMBERS - None

Chairperson Tony Monton requested the Planning Commission consider adding a definition of the word "lodge" to the Zoning Ordinance. Keith Edwards will draft a proposed definition for the August Planning Commission meeting.

PUBLIC COMMENTS

Larry Buttrey of 8022 56th Avenue stated that 56th Avenue is plowed either by the Oceana County Road Commission or the Village of Pentwater, depending upon which agency gets there first.

ADJOURNMENT

Patrick Hooyman moved to adjourn the regular meeting at 6:59 pm. Heather Douglas seconded the motion. All ayes and the meeting was adjourned at 6:59 pm.

Respectfully submitted by,

Keith Edwards, Zoning Administrator

June 17, 2024

Approved by the Planning Commission

August 13, 2024