

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

February 11, 2025

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	Absent
Patrick Hooyman	Absent
Tony Monton	Present
Peter Zangara	Absent

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

APPROVAL OF AGENDA, MINUTES AND CHAIRPERSON'S REMARKS

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

Heather Douglas made a motion to approve the minutes of the December 10, 2024 Regular Meeting as presented and Terry Cluchey seconded. All ayes and the minutes of the December 10, 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 HEARINGS - None

OLD BUSINESS

A. Proposed Zoning Ordinance Amendment – Amendment to definitions to add “Retaining Wall” and a new Section 3.38, Retaining Walls.

During review of the proposed Zoning Ordinance amendment for retaining walls, Planning Commissioners as revised by the Township Attorney, The Planning Commission reviewed the draft amendment and suggestions by Staff in the memorandum dated February 7, 2025. The proposed changes to the revised amendment are as follows in Paragraph B of Section 3.38:

B. All retaining walls employed or constructed to create a change in elevation of thirty inches

(30”) or more from the lower final grade to the higher final grade and which are located in the

following places ~~upon the same property~~ shall be affixed with a fence or railing that extends at

least thirty-six inches (36”) in height from the higher final grade and otherwise complies with

Section 3.11 of the Zoning Ordinance:

1. Within ~~50~~ ~~ten~~ (10) feet of a dwelling;
2. Within ~~25~~ ~~ten~~ (10) feet of a deck, patio, porch, sidewalk, or walking path;
3. ~~When a dwelling, deck, patio, porch, sidewalk or walking path is W~~within ~~50~~ ~~ten~~ (10) feet of a body of water;

~~4. Between a dwelling and the shoreline of a body of water when the dwelling is located on a parcel abutting a body of water. Within six (6) feet of an accessory building.~~

Motion by Cluchey, second by Douglas, to recommend the revised Zoning Ordinance Amendment for Retaining Walls be considered for approval by the Township Board of Trustees with the changes proposed by Staff at tonight's meeting. All Ayes, and the motion was approved.

B. Proposed Zoning Ordinance Amendment – Section 3.29 – Keeping of Animals.

Planning Commissioners reviewed a revised Zoning Ordinance amendment as drafted by the Township Attorney to modernize Section 3.29 – Keeping of Animals in light of a recent complaint and consultation with the Township Attorney.

The Planning Commission rejected the proposed amendment based on Staff's memorandum dated February 2025 and discussion at the meeting, including the overly complex drafting of the regulations based on the miniscule number of properties keeping animals within the community today. Thus, the Planning Commission seeks simpler regulations for the keeping of animals, distinguishing between animals kept for personal use (i.e. pets or hobby animals) vs a commercial farm operation, where commercial farms are subject to the Right-to-Farm Act and Generally Accepted Agricultural Management Practices (GAAMPS).

The consensus of the Planning Commission was to postpone a recommendation to the Township Board to afford Staff and the Township Attorney to draft revised regulations for consideration at a future meeting.

C. Proposed Zoning Ordinance Amendment to Section 3.11 – Fences.

Pentwater Township Property Owners Ed and Susan Phelan provided a written request to amend Section 3.11, Paragraph B to allow fences that are located in the front or rear yard of a waterfront property to be 4 ft. tall rather than 3 ft. tall to contain small children and pets.

Planning Commissioners requested that Staff research other area communities' Zoning Ordinance regulations to get an idea for their fence regulations and report back at the February meeting. Staff presented the findings of the research as written in the memorandum dated February 7, 2025.

Heather Douglas moved to schedule a public hearing on a Zoning Ordinance amendment to be drafted by the Township Attorney for Section 3.11 of the Zoning Ordinance to allow fences in the front or rear yard of a waterfront property to be 4 feet tall, using Staff's memorandum as guidance. Paula DeGregorio seconded the motion. All ayes and the motion was approved.

NEW BUSINESS

A. Application for changing the Zoning Map. Jeff Wrisley – Parcel ID No. 64-001-013-100-02. 56th Avenue (north of Oceana Dr and Park Street) north of Hammett Road – Review of Engineer's Proposal.

On December 10, 2024, Planning Commissioners passed a motion to request a proposal from the Township Engineer, Fleis & Vandenbrink provide a report on the conditions of 56th Avenue and its ability to support the proposed additional traffic if the 750 ft. portion of the subject property were rezoned from RR, Rural Residential to R-1, Single Family Residential.

The proposal received was reviewed by Planning Commissioners and found to adequately address the concerns expressed at the public hearing regarding the proposed Zoning Map change.

At this time, however, the applicant, Jeff Wrisley, has withdrawn his application for changing the Zoning Map of the subject property from RR, Rural Residential to R-1, Single Family Residential.

No further action is required of the Planning Commission at this time.

B. Consideration for a Special Meeting in March for review of a Special Land Use Request for the proposed Village well site at 6607 Ridge Road – Parcel No. 64-001-022-400-18.

Moved by Terry Cluchey, seconded by Heather Douglas to move the regularly scheduled Planning Commission meeting from April 8 to April 15, 2025 and to hold the required public hearing for this Special Land Use on April 15, 2025. All ayes, and the motion was approved.

DEPARTMENT COMMITTEE REPORTS

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

OTHER ITEMS FROM PLANNING COMMISSION MEMBERS - None

PUBLIC COMMENTS – None

ADJOURNMENT

Heather Douglas moved to adjourn the regular meeting at 7:47 pm. Paula DeGregorio seconded the motion. All ayes and the meeting was adjourned at 7:47 pm.

Respectfully submitted by,

Keith Edwards, Zoning Administrator

February 18, 2025

Approved by the Planning Commission

April 15, 2025