

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

June 13, 2023

Chairperson Tony Monton called the in-person meeting to order at 6:01 pm. The Pledge of Allegiance was recited.

ROLL CALL

Terry Cluchey	Absent
Paula DeGregorio	Present
Heather Douglas	Present
Buz Graettinger	Absent
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 Paula DeGregorio. All ayes and the agenda, as amended, was approved.

Heather Douglas made a motion to approve the minutes of the April 11, 2023 Regular Meeting as presented and Peter Zangara seconded. All ayes and the minutes of the April 11, 2023 meeting were approved.

Chairperson Tony Monton requested 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 - None

OLD BUSINESS - None

NEW BUSINESS

- A.** Proposed storage room and deck addition to nonconforming residential building. McClelland Cottage - 8323 N. Perry Avenue, Parcel ID No. 64-001-492-014-00.

The property owner Lindsay McClelland is requesting a Zoning Permit to construct a 3.5 ft. x 5 ft. exterior storage room with a bay window above where a chimney once stood and construct a deck on the rear of the home.

According to the applicant's survey, the existing house, which was recently raised to install a new foundation is within five (5) feet of the south side property line, where 10 feet is required. Thus, the existing building is nonconforming on the south side of the home. Please also note that according to the survey, the adjacent home to the north of the subject home encroaches upon the subject property.

The proposed storage room with bay window above to be located in place of the former chimney is on the north side of the home where the existing setback is approximately 19 feet from the north side property line. Thus, the resulting setback would be approximately 15 to 15.5 feet from the north property line. The proposed four (4) ft. by six (6) ft deck and associated walkway/stairs on the south and west side of the home, would maintain the existing 5 ft. setback from the south property line and would be 35 feet from the rear property line, well outside of the required 30 ft. rear setback area. The existing nonconformity on the south side of the home will not be expanded or exacerbated, and meets the standards of Section 3.24, paragraph B, et seq.

Motion by Patrick Hooyman, seconded by Heather Douglas to approve the proposed expansion as shown on the site plan and survey at 8323 N. Perry Avenue. All ayes, and the proposed expansion at 8323 N. Perry Avenue was approved.

- B. Proposed Zoning Ordinance Amendment – Section 3.08 Accessory Buildings. Date change for public hearing.**

Zoning Administrator Keith Edwards reported that he had forgotten to publicize in the newspaper the previously approved public hearing date for this proposed amendment for tonight. Therefore, he is requesting to hold the public hearing on August 8, 2023. Heather Douglas moved to hold the public hearing date for August 8, 2023 and Paula DeGregorio seconded the motion. All ayes and the public hearing date was set for August 8, 2023.

- C. Proposed Zoning Ordinance Amendment – Section 18.08 Review Standards for Variances. Review of draft amendment and set date for public hearing.**

Zoning Administrator, Keith Edwards explained that the Zoning Board of Appeals (ZBA) has found the existing language of Section 18.08 to be cumbersome and

somewhat redundant in the evaluation of a request for a dimensional variance. Mr. Edwards has asked the Township Attorney to prepare an amendment to Section 18.08, that might provide standards that are clearer and less cumbersome to work with. Mr. Edwards has asked the Planning Commission for a public hearing on the matter and to consider any comments offered on the draft amendment by the ZBA.

Motion by Patrick Hooyman to set the public hearing for August 8, 2023. Seconded by Paula DeGregorio. All ayes and the motion to set the date for a public hearing on the proposed amendment to Section 18.08 for August 8, 2023 was approved.

D. Discussion of General Provisions for fences and retaining walls – Section 3.11 of the Zoning Ordinance.

In a follow-up to the previous public comments offered by the public, Barbara Brown at the April 11, 2023 meeting, Planning Commissioners discussed whether it is appropriate that the Zoning Ordinance contain aesthetic regulations for retaining walls and fences. Peter Zangara moved to request that Staff seek advice of the Township Attorney regarding aesthetic regulations for retaining walls and fences for Planning Commission consideration. Patrick Hooyman suggested that perhaps retaining walls should be required to meet setback requirements like we do for buildings, and the vegetation should be considered on the side of the wall facing neighboring properties. Heather Douglas seconded the motion. All Ayes, and Staff will seek the Township attorney's advice regarding regulations for retaining walls and fences.

E. Proposed Change in the Zoning Map from C-1 General Commercial to R-2, Single Family Residential, Parcel ID No. 64-001-400-022-05. Approximately 1.14 acres, 5176 W. Monroe Road, north of Treasure Island Drive. Review of Application and set date for a public hearing.

After review of the application submitted for rezoning of the above referenced property, Heather Douglas moved to set the date for a public hearing on the matter for August 8, 2023. Peter Zangara seconded the motion. All ayes and the motion to set the date for a public hearing for August 8, 2023 was approved.,

F. Consideration for the 2023 – 2024 Meeting Schedule.

Paula DeGregorio moved to approve the Planning Commission meeting schedule for the 2023-2024 year as presented. Heather Douglas seconded the motion. All ayes, and the 2023-2024 meeting schedule was approved.

G. Election of Officers and ZBA Representative.

Patrick Hooyman moved to re-elect the same slate of officers for the 2023-2024 year as served for the last year. Peter Zangara seconded the motion. The slate

of officers proposed are Tony Monton for Chairperson, Paula DeGregorio for Vice Chairperson, and Heather Douglas for Secretary. All ayes, and the motion to re-elect the same officers was approved. Peter Zangara moved to reappoint Terry Cluchey as the Planning Commission Representative to the Zoning Board of Appeals and Patrick Hooyman seconded the motion. All ayes, and the motion to reappoint Terry Cluchey to the ZBA was approved.

DEPARTMENT COMMITTEE REPORTS

Keith Edwards Zoning Administrator and ZBA reports were accepted by the Planning Commission. Mr. Edwards also distributed copies of the draft of the Master Plan for Planning Commissioner review.

OTHER ITEMS FROM PLANNING COMMISSION MEMBERS

There was consensus among the Planning Commissioners to hold a special meeting for July 11, 2023 at 6 pm to discuss the draft Master Plan that was distributed at the meeting.

PUBLIC COMMENTS – None

ADJOURNMENT

Heather Douglas moved to adjourn the regular meeting at 7:10 pm. Peter Zangara seconded the motion. All ayes and the meeting was adjourned at 7:10 pm.

Respectfully submitted by,

Keith Edwards, Zoning Administrator

June 20, 2023

Approved by the Planning Commission

August 8, 2023