

Crockery Township

Regular Planning Commission Meeting

June 18, 2024

Minutes

Chairman Ryan Arends called the meeting to order at 6:30 p.m.

Present: Commissioners Robert Machiela, Mike Munch, Ryan Arends, Dave Willis, Jake Noel, Ryan Kelly and Roy Holmes.

Absent: None.

Planner Julie Lovelace with Fresh Coast Planning and Attorney Ron Redick were present on behalf of the Township. Paige Silva was also present as Recording Secretary.

There were 4 people seated in the public gallery.

Agenda Item 2. Approval of the Agenda

Approved as submitted.

Agenda Item 3. Approval of Minutes

A **motion** was made by Commissioner Munch to approve the Minutes from May 21, 2024 as written. A second was offered by Commissioner Holmes.

Agenda Item 4. Announcements

Commissioner Kelly reported the North Bank Trail is being completed from the Rail Bridge in Nuncia east. The Fire Department is extremely busy right now. There are more medical calls than other issues in the Township. The Sheriff's Department gave the yearly report and there was not as much crime as there was in 2021.

Agenda Item 5. Communications

None.

Agenda Item 6. Public Comments

Chairman Arends opened public comment for any item not on the agenda at 6:32 p.m. No public comment.

Agenda Item 7. Action Items

None.

Agenda Item 8. Presentations

None.

Agenda Item 9. Discussion Items

a. Ordinance Amendment Application - Accessory Dwelling Units

Planner Lovelace provided an introduction regarding James and Shelly Mershon's application in the above entitled matter. She provided a copy of Section 19.14 of the Crockery Township Zoning Ordinance which states the standards for an Accessory Dwelling Units (ADU). Planner Lovelace stated how this specifically affects the applicants. New language has been drafted for discussion regarding the proposed amendment. She asked the Commission if they want to specify whether the proposed area for the ADU should be on non-productive farm land. Commissioners Willis and Kelly stated this should not be specified. As long as the building is within the setbacks, the Ordinance should remain how it is written.

Planner Lovelace asked the Commission if a minimum lot size should be specified. Commissioner Kelly stated five acres should be the minimum. Commissioner Willis stated as long as the dwelling conforms with setbacks, no other restrictions should be imposed.

Attorney Redick commented on the Legal Affidavit verbiage. He said this provision should mimic with the Township's existing language. Planner Lovelace clarified with Attorney Redick that this language will be recorded on the deed so that future property owners will be aware of the conditions.

The general consensus of this Commission is that the units should share the same driveway and address. Commissioner Willis asked how this affect emergency response. Attorney Redick advised to discuss this with the Fire Chief.

The Accessory Dwelling may be erected as an integral part of the principal dwelling structure, as an integral part of an otherwise permitted accessory building such as an attached or detached garage, or as a detached ADU. Attorney Redick advised to include the definition “Detached Accessory Dwelling Unit” in the Zoning Ordinance.

Planner Lovelace asked whether an attached garage should be permitted on the ADU? The Commission decided to keep the square footage of the attached garage up to 90 percent of the ADU, the same as for principal dwellings. Attorney Redick said it should be reiterated in this section also - even if it exists in another section in the Zoning Ordinance.

Planner Lovelace asks if the square footage should be smaller than the main house? The Commission decides yes, the square footage should be up to 70 percent of the principal dwelling or 1000 SF whichever is larger.

The term “useable floor area” was brought into question as to whether it should be changed in the definitions section. The purpose of the ADU’s is to be smaller - not larger. “As long as the dwelling portion does not exceed 1000 square feet or 70 percent of the original home’s square footage. Planner Lovelace asked about the total accessory building square footage allotted and what happens if the applicants have met their maximum on the accessory buildings? Commissioner Willis said that there are already checks and balances in place. Commissioner Noel clarified what the question is: do we want to include an ADU in the maximum square footage for accessory building? The Commission states the ADU’s should be counted towards the maximum square footage for accessory buildings.

Attorney Reddick stated, “Habitable floor area” to “Useable floor area” is language that may be changed.

The ADU has to be connected to water and/or sewer. The Health Department would likely require a separate septic. The Commission agreed that ADU’s should have the same minimum setbacks as the principal dwelling. The entrance restriction and architecture restriction were reviewed without issue or question. Manufactured homes should not be permitted as an accessory dwelling structure.

Attorney Reddick will review these provisions then the Planning Commission (PC) will schedule a public hearing. Then a PC recommendation will be sent to the Board for approval.

b. Master Plan Chapter 4 Residential

Planner Lovelace put everything regarding Residential Policy into Chapter 4. She deleted anything that was redundant or outdated. Regarding the Senior living facilities, she asked the Commission if they want to leave the wording “future potential expansion of sewer system” provision. The Commission’s answer was yes, leave this language as sewer is important for these buildings.

There are multiple topics regarding this matter including open space and low density residential areas. There is redundant language because the Zoning Ordinance promotes the connection of streets. Should the Commission allow or promote dead end streets? Does the existing ordinance have any language for dead end roads? The Answer is no to both questions. The Road Commission does not really accept dead end roads. There is a legacy cost for the roads to exist.

Regarding the Village Mixed Use section of the Zoning Ordinance, extension of sanitary sewer to this area should be encouraged.

Recommendations for this Section of the Zoning Ordinance are: How can we provide an environment for investment in housing and economic development? The Master Plan allows for this. The wording should be kept the same.

Pollution of groundwater systems is regulated by Environment, Great Lakes, and Energy - State of Michigan (EGLE). Should the master plan also address this topic? The Commission said that they want to keep the existing verbiage because they want to support this sentiment.

The waste water system requires expansion on the M-104 corridor. The Corridor Improvement Authority (CIA) is looking at pricing for wastewater to go to Moorland Road. Commissioner Kelly said that it is possible that the line is full and it is not likely this is going to happen. Commissioner Willis said that the lines were talked about being bigger but they all have a maximum limit and Spring Lake and Grand Haven are already quite full. The CIA is meeting next week regarding the expansion of the line behind Power Drive in Nunica. It is expected eventually, all of Coopersville is going to public wastewater.

c. Ordinance Amendment - Accessory Buildings and Structures

Up for this Commission's discussion is Section 3.02 - Section c.1.F.ii. The language was modified exclude porticos and covered colonnades. Sub-section G - the Accessory buildings and Structures provision was modified and added flag poles. She could not find a collapsible flag pole or something that falls straight down. This may be hard to enforce. Commissioner Kelly said the building owners are responsible for this. Planner Lovelace stated that Subaru in particular is asking for a large flag pole and if it exceeds 200 feet it will require approval from the FAA. The “Fall-Zone” provision (G.2) should be removed. The Illumination provision was kept.

Regarding Section 3.02.3(a)(2) - Accessory Buildings in Residential Zoning Districts - Planner Lovelace believed the most recent change to this provision had an unintended consequence and should instead be changed to, “the combined gross total gross floor area shall not exceed one thousand two hundred square feet or one percent of the parcel size, whichever is larger”. This was the Commission’s original intention and the Commission agreed to this change.

d. Short Term Rentals

Planner Lovelace introduced the Commission to other Township’s provisions regarding short term rentals. The Commission liked Laketon’s provision - specifically the sleeping situation and the maximum people allowed in the short term rental.

The Commission was asked if they want to permit short term rentals. The general rule was they do not have a provision about them now, so they are not permitted. It came to the Commission’s attention that there is a short term Airbnb in Hathaway and it is expected the Homeowner’s Association will be enforcing their own provisions on this matter. Commissioner Munch asked how this would be enforced and how we are going to avoid an influx of people. A Special Land Use could be used in this provision and be enforced. The limitations in the special land use would be set and a revocation process could be there. Planner Lovelace clarified that this Commission has the option to expressly permit in the Zoning Ordinance or stay silent. If they are prohibited, it is likely legal suits would follow. Commissioner Arends likes the idea of a Special Land Use Provision as it would allow the applicants to go before the Commission. Safety in the rentals may become an issue, what about fire alarms? The Crockery Township Supervisor asked if this Commission could consider minor regulations. Similar to home occupation provisions, only allowed in residential, etc. Commissioner Kelly said that Spring Lake enforces it. There is a person that is in the office that monitors violations. Should there be a fine if no application? The Commission said yes and that they should probably not stay silent on this matter. The Laketon Ordinance with the Special Land Use option is ideal but the Township is smaller than Laketon. Planner Lovelace can come up with something for the Commission to review. The Commissioner wants something that will not impede the regular Township citizen.

e. Semi-Trailer Parking

The Board asks that this be revisited. The current language is, “Parking or storage of more than one semi-trailer is prohibited on any parcel of land zoned residential or used for a residential purpose in any zoning district.” The suggested rewording is “Parking of one semi tractor/trailer or combination shall be permitted on any parcel or land five acres or more in size that is zoned AG-1, AG-2, R-1A, or R-2. Semi-trailers shall not be used as storage containers.”

There is nothing preventing people on residential lots from using semi-trailers as storage. Planner Lovelace asked this Commission if there should be a time limit to the parking and if there is, how would this be enforced? What about the practicality of the semi-trailers on the property . . . that is where the proposed minimum acreage ties in. There are some small parcels that a large container may fit on them. The Commission asked why make an ordinance that we cannot enforce? Agriculture should be taken out of this provision.

Parking of one semi-tractor or trailer shall be permitted for parking on these lands. They should not be used as storage containers. This will be brought back to the PC. Planner Lovelace will public notice accessory buildings and structures and include this provision in the proposed amendments.

Agenda Item 10. Adjournment

A motion to adjourn was made by Commissioner Munch at 8:03 p.m. A second was offered by Commissioner Holmes.

Respectfully Submitted,

Paige Silva
Recording Secretary

Next Regular Meeting: July 16, 2024