

ONEKAMA TOWNSHIP PLANNING COMMISSION

REGULAR MEETING TUESDAY, JULY 22, 2008

The meeting was called to order at 7:02 p.m. by Chairman Dan Behring.

The pledge of Allegiance was said.

Members present: Phil Joseph, Rudy Gross, Secretary Mary Lou Millard, Roland Clement.

Absent; Dennis Wickstrom and Vice President Jim Mrozinski.

CONSENT AGENDA: Motion by Clement, second by Gross to accept the minutes of the June 19, 2008 minutes with corrections. The correction is to change the website address to read:

“Onekama.Info. Motion carried.

ITEMS TO BE ADDED TO AGENDA: Add camping trailers and DEQ action on Pebble Bay to Discussion Items.

PUBLIC COMMENT: None.

TOWNSHIP BOARD REPORT: Received and placed on file.

ZONING ADMINISTRATOR'S REPORT: Zoning Administrator Dana Schinder placed her report for June on file. Discussion held on Padden project. Schindler said the DEQ has given the go-ahead for home construction on the site based on photos and other information sent to it. Questions asked by commissioners: Is there an elevation plan based on the ordinary high water mark?; is there an elevation plan for the lowest level of the floor plan?; what is the condition of the permit? Schindler said the permit is non-conditional. She said the DEQ suggested that the township zoning administrator request an affidavit that the building would stand.

Behring said: The planning commission needs to recommend that an environmental impact statement be placed in the ordinance that is specific. We need a better ordinance for critical areas, and we should require certified engineering drawings in critical areas. If we had a fill ordinance this situation might have been stopped. The DEQ gave him (Padden) a permit after the fact.

The concern was expressed by commission members that the state building permit was granted prior to the township's land use permit. Behring also said that the township ordinance does allow the zoning administrator to ask for additional information if the zoning administrator feels it is necessary. The commission asked Schindler to check with the state as to why a state building permit was issued prior to the issuance of a land use permit.

Clement suggested that the Natural Resources Committee look at this issue and come back to the commission with some recommendations regarding critical area land use processes.

PEBBLE BAY: Behring reported that front end loaders were pulling out sand that they put in the bottomland to extend their beach. The DEQ ordered Pebble Bay to remove the sand.

He said while this is a village issue, the village and township planning commissions and township board need to talk on a regular basis so all members can know what the problems are and act upon them.

ZONING ORDINANCE REVIEW AND DEVELOPMENT: Clement reported the committee will meet Monday, August 4 at 2 p.m. The number one priority is amendments to the ordinance with relation to the new Michigan Enabling Act. Millard was instructed to arrange a meeting with Website Director Eric Beeman and Clement to discuss the possibility of Beeman compiling the zoning ordinance and amendments for a complete new book to be printed.

NATURAL RESOURCES IDENTIFICATION: Joseph reported he is looking over data regarding wetlands around the lake; wants to see if the DEQ can come and clearly, legally identify what is a wetland; has talked to joint master plan leaders to discuss placing this information in the master plan; wants to include the Project Watershed Forever group in this project. He said the group also needs to identify valid criteria for wetlands.

PUBLICATIONS, PUBLIC INFORMATION: Millard distributed copies of the new, revised data for “Building In Onkama? Here's What You May Need” which is attached to all land use applications, and is posted on the township website and on bulletin boards in the post office, library, and other businesses in the township, and will be part of the information packet being distributed by Project Watershed.

PPI FOLLOW UP ITEMS: Pump-Out, Boat Storage and Launching: Behring reported that the State of Michigan and the local sanitation department don't have the resources to monitor development; also discussed boat storage and launching.

JOINT MASTER PLAN UPDATE: Behring reported that The Manistee Community Foundation has received \$15,000 from the Oleson Foundation for the project and is working with the state to seek an exemplary collaboration grant, from the state.

GILBERT PROPERTY: Behring reported the Consent Judgment has been received which states that the Gilberts can go forward in constructing a walkway and deck on the lakefront parcel adjacent to their home but cannot construct gazebo or permanent structure at the end of the walkway. They can erect a temporary covering or screen with see-through sides, with the covering subject to the approval of the zoning administrator. (Full details of the judgment are on file with the original document of these minutes). The consent judgment needs to be approved by the Zoning Board of Appeals. The ZBA will schedule a public hearing on this matter.

MICHIGAN ENABLING ACT: Clement explained the procedure to implement the new act into the commission's by-laws and the zoning ordinance. The law goes into effect Sept. 1, 2008. The first step is to request that the township re-authorize the planning commission according to the new act.

ZONING BOOKS: Clement will meet with Eric Beeman regarding compilation of the books; target date is by the end of August.

TRAINING SESSIONS: Schindler reported that the Citizen Planner Classroom Series will be six weeks from Sept 24 to Nov. 12, meeting on Wednesdays from 6:30 to 9 p.m. in the county road commission building. Registration can be for individual sessions or the entire program. Clerk Helen Mathieu can be contacted for registration information.

COMPILATION OF PLANNING COMMISSION: The commission discussed and made changes to the commission's by-laws, because of personnel changes and the new Michigan Planning Enabling Act.

They are as follows:

Article 2, Members and Officers, Section 2.3-Duties. It read: "The Secretary shall be responsible for the keeping of pertinent records, delivering communications, petitions, reports and related items of business of the Commission, issuing notices of public hearings, and performing related administrative duties to assure efficient and informed Commission operations. In the event the Secretary is absent, the Chairperson or acting chairperson shall appoint a temporary secretary for such a meeting.

Motion by Clement, second by Gross, to add the following sentence to the description of the duties of the Secretary: "Administrative support to carry out such activities will be provided by a recording secretary, appointed by the Township Board." Motion carried.

Article 5. Minutes, Section 5.1., First Sentence: It read: Commission minutes shall be prepared by the Township Zoning Administrator acting as recording secretary of the Commission. **Motion** by Clement, second by Gross to change the first sentence to read: "Commission minutes shall be prepared by the Recording Secretary of the Commission, or in that person's absence, the Planning commission Secretary". Motion carried.

Motion by Clement, second by Joseph to recommend to the Township Board that Mary Lou Millard be appointed as Recording Secretary for the Planning Commission. Motion carried.

Motion by Clement, second by Joseph to appoint Rudy Gross as Secretary of the Planning commission, effective September 1, 2008. Motion carried.

DISCUSSION ITEMS:

Structures below ordinary high water mark: Behring said we need to identify what these are, as a permanent structure below the Ordinary High Water Mark does need a permit from the DEQ. And, as Portage Lake connects to the Great Lakes, a permit from the U. S, Army Corps of Engineers may also be needed.

Permanent Docks: Permits are needed.

COMMISSION DEVELOPMENT: Chairman Behring distributed binders for each planner which will utilize material and date to be reviewed and discussed by the commission.

QUESTION OF THE MONTH:

When you think about site plan approval, what do you think about?

Responses from the commissioners: Position and dimension, critical slope development, access to property, permits(soil, well, septic, driveway, fire access), parking, traffic patterns, elevation/height, building size and height, character of neighborhood/obstruction of views, auxiliary structures and their placement, storm water protection, vegetation removal.

PUBLIC COMMENT: None

ADJOURN: 9:12 p.m.

Dan Behring, Chairman

Mary Lou Millard, Secretary