

**BROOKS TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
July 27, 2015
Approved Minutes**

MEMBERS PRESENT: Mike Bower, Phil Knape, Greg Myers, Mark Pitzer, Cheryl Rosen, Les Salacina, Ryan Schultz

MEMBERS ABSENT: None

STAFF PRESENT: Supervisor Cory Nelson, Zoning Official Joe Selzer

Chairman Pitzer called the regular meeting to order at 7:02 p.m. This meeting was properly posted and a quorum of the Brooks Township Planning Commission was present. These minutes are not a transcription and comments have been summarized for brevity and clarity.

APPROVAL OF AGENDA:

Moved by Knape, **Seconded** by Bower to accept the agenda as amended by adding Sign Ordinance/M-37 under New Business.
Approved Unanimously

APPROVAL OF MINUTES:

Moved by Rosen, **Seconded** by Myers to accept the minutes of the June 22, 2015 meeting as presented.
Approved Unanimously

PUBLIC COMMENT: None

CORRESPONDENCE: Pitzer said he received notice of a Zoning Conference put on by Michigan Township Association. He will be attending this conference in Frankenmuth on August 11.

Selzer said the Township did receive a letter from the Forestry Service Surveyor that they indicated there were three sections they were going to survey. They are sections 4, 9 and 10 and he checked those three sections and there were no more than six parcels being surveyed. One parcel was rather large but others were small.

UNFINISHED BUSINESS:

Camping Ordinance: (See Attached) The ZO worked on language for the camping ordinance. Previously we did not require a permit for persons with a permanent residence to have camping on their parcel for 21 days. However, we didn't have any way to track when the 21 days ended. There isn't a fee for camping permits.

With changes in the ordinance they still do not need to get a permit to camp up to four consecutive days. However, now they are required to get a permit if it is over four days and up to 21 days. The permit is renewable. With a permit we will be able to track how long people have camped if there are any questions or complaints that come up.

Moved by Myers, **Seconded** by Bouwer to approve the changes to the camping ordinance.

Approved Unanimously

2. Sea Walls: Pitzer said he, Nelson and Selzer met to discuss replacing existing sea walls. They talked about repair and replacing previously existing structures but what is now non-conforming. A letter is being worked on to send to contractors regarding this issue along with the lake associations. It will let them know that Brooks Township now allows the repair and replacement of previously existing sea walls as long as it isn't any greater non-conforming.

Selzer said sea wall is misleading because the Township doesn't deal with sea walls. That is DEQ jurisdiction. The Township deals with what is behind the walls. They can't add a cement walk way. The ordinance allows them to repair and replace the structure behind the sea wall if it previously existed but cannot make it any larger. The ordinance isn't changed we just want to make it clear to everyone.

There was discussion on interlocking plastic linings filled with concrete being used for sea walls and not steel.

3. Wildlife Feeding: Pitzer said he, Nelson and Selzer also met on this. Selzer said the Township is looking at addressing this under Junk and Blight. It is considered dumping litter and garbage especially if it is going onto someone else's property.

The DNR allows a maximum of two gallons of feed at any one time can be dumped within 100 yards of their house on their own property. If it isn't eaten you can't add to it.

Pitzer said we will try sending letters under the Junk and Blight ordinance before we add another ordinance regarding wildlife feeding.

NEW BUSINESS:

1. Fences in the LD: Nelson said this issue was brought up because of property on Hess Lake that was bought as foreclosure that had a previously existing fence on the property. The resident received a letter saying we allow shrubbery but we do not allow fences. Nelson thought it would be good to look at this as shrubbery will grow to six feet and didn't understand the difference.

There are multiple fences on the lakes, chain link fences that go to the water. After discussion it was decided to check into what the four neighboring townships do and

check on state laws regarding this. There was also discussion on privacy and the rights to see the water and how much policing does the Township do? We also have lakes with two different townships involved.

Pitzer said this will be on the agenda next month. A letter regarding concrete repair and replacement will be drafted for the PC to look over.

2. Structures in LD Art. IX. Sec. 9.06D 2 m.: The Zoning Official (Selzer), Nelson and Pitzer discussed alterations to (m) in this section. In sentence three it states “*shall not be attached to any structure*”. They took into consideration that the attachment shall not be used as a construction setback point. We will allow people to put in raised decks and patios that are attached to a structure, home, garage, etc. but the construction setback point is the structure.

Selzer said the construction setback point is measured from the water’s edge back 50 feet to the foundation of the house or garage or whatever is there. That is where the setback point would be.

We have allowed up to 300 square foot decks in the 25 foot greenbelt section up to the 50 foot construction setback previously not attached to the house but on the ground. We have many homes that are not 50 feet back from the lake that would like to put a deck. This would allow them to attach the deck to the house but not use it as the construction setback point. We don’t want the decks to be pitched back away from the lake to the structure. We talked about having the decks horizontal but keep that it needs to be on a crushed stone bed no less than 2 inches in depth so the water doesn’t drain back to the house.

The three main points in (m) are the *ground level, shall not be attached, and shall be pitched away from the lake.*

Pitzer said we will check with neighboring townships to see what they allow and will have draft language for next month regarding Section 2 (m).

3. Signs: Bower asked about signs along M-37 and M-82 where a new business goes in but they haven’t been able to put signs out. Selzer said he has worked with a new business and they have worked things out regarding the sign.

Selzer mentioned a new sign in the Commercial District that wasn’t there before and didn’t know of any business there pertaining to that sign. He also did not have any requests for it. After checking he found that the offices for that business are on the parcel. There are two businesses on the parcel so they just had to get a permit.

There was discussion on Home Occupation Signs and their size and location of placement in residential areas. This will be investigated and brought back to PC next month.

STAFF UPDATE: Selzer said there was 19 Zoning Compliance Permits issued this month, 85 so far this year. Five permits were issued for decks and six for accessory building.

PUBLIC COMMENT: Comments received regarding fences in the LD that have been there for 10-15 years.

PLANNING COMMISSION MEMBER COMMENTS: Questions brought up regarding non-conforming fences in the LD and how long they can stay there. They can be maintained but not replaced if damaged by something falling on it.

Charlie Harris is working on his site plan. He is getting the requirements that were requested for that particular site.

ADJOURNMENT:

Moved to adjourn by Knape, **Seconded** by Bouwer
Approved Unanimously

The meeting was adjourned 8:25 p.m.

Respectfully Submitted,

Les Salacina
Planning Commission Secretary

Maureen Dutkiewicz
Recording Secretary