

BROOKS TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
August 28, 2017
APPROVED

MEMBERS PRESENT: Pat Baker, Phil Knape, Cheryl Rosen, Ryan Schultz, Matt Arthur, Danielle Hummel

MEMBERS ABSENT: Mark Pitzer

STAFF PRESENT: Zoning Official Joe Selzer

Vice Chairman Knape called the regular meeting to order at 7:00 p.m. This meeting was properly posted and a quorum of the Brooks Township Planning Commission was present.

APPROVAL OF AGENDA:

Moved by Rosen, **Seconded** by Schultz to accept the agenda with the addition of by-laws/voting procedures under new business.

Approved Unanimously

PUBLIC HEARING: Moved by Baker, **Seconded** by Hummel to suspend the regular meeting and enter into a public hearing.

Approved Unanimously

1. Ordinance Language changes ZA Selzer gave a summary of the changes

Jim Leonard – As a Brooks Lake board representative he would like to keep the ordinance in place, but amend it for clarification. Reconstruction and redevelopment should be different from new construction.

Jim Splear – says this ordinance needs to be amended. He would like to see some control and possible education with new people and developments moving onto the lake. Make sure people aren't abusing the lake. Would also like to see us get more information on what the county actually has for ordinances that pertain to regulating the lakes. He appreciates the local control he receives from the township.

Jon VanWylen – Thinks the ordinance needs to be amended and reworded. He is concerned it would be removed all together and it would never get changed, just eliminated.

Grant Carpenter – asked if DNR has a greenbelt ordinance. Commissioner Ortwein stated the county does not have a greenbelt ordinance, nor does the DNR or DEQ. The DEQ controls the water only, not the greenbelt area.

Jill Chapman – conceptually agrees with the greenbelt concept. Wants to make sure the township keeps the right balance for the lakes.

Craig Chapman - Thank everyone for the explanation. Would like to have the greenbelt clarified. conceptually agrees with the greenbelt concept, just wants to make sure it doesn't get extremely stringent. Understands the needs to protect the water.

Terry Hall – asked questions about how there is a benefit to them to remove it.

Bill VandenBosch – Lakes are a major part of the township. We need to be concerned about how it affects the lakes. Just a blanket removal of the ordinance leaves the lakes unprotected. Has major concern that there are too many conflicting stories as to what is going on at this level.

Tim Barkel – very new to the area. Has had board experience in Zeeland Charter Township. He's present to just listen and get clarification on the ordinance.

Bill Falkowski – Is concerned with both his property and the lake. Likes to keep control and feels the ordinance needs to be amended. Would still like to maintain a 25' area to still show concern for the lake.

Sandy Rickert – asked for clarification on tree removal in ordinance and asked about ordinances pertaining to no wake zones on the lake.

Gene Robinson – been on the lake 60 years. Has seen the lake turnover from nice to not nice and back. He is against the ordinance. He feels the township has too much control. Has concern about cutting trees and blowing leaves in the lake. He feels it is an attack on property owners. Feels lake owners will take care of it themselves.

Bob Ptak – asked for ZA name and phone number. He also asked for clarification on the 50' area if you want to put a deck in.

Kim Nienhuis – trying to figure out for sure what the PC is doing...remove greenbelt and just use the lake front overlay?

Sharon Kusters – her questions have already been answered.

Dave Casey – redeveloping his property. He feels it is redundant and is in favor of removing it. Many are already developed and in violation already. He states if everyone is really concerned about the lake, why are they not in favor of a sewer? This ordinance is just a very minute portion of the issue.

Chris Ortwein – Stated Cliff Bloom is truly renowned attorneys on waterfront and riparian rights. As the township attorney, we should take his recommendations into consideration as he truly knows what he is talking about. We really need to protect our water. What is

the true definition of natural vegetative strip and how do we regulate it. he says this is really a broken system and we need to change this ordinance.

John Doust – has no opinion on the greenbelt. He purchased property to have a beach for his grandkids to have a beach to play on.

Julie Chamberlain – Muskegon river watershed assembly in Big Rapids. They have help and instructions on how to build a natural shoreline without obstructing views or affecting your neighbors. Aa lot of science goes into water so there are many pieces to put that together. Much deep-rooted vegetation helps with soil and erosion by keeping the banks in place, even if there is a seawall. Sewers are also essential. She said there have been studies to prove water clarity directly affects property values. She offered their services to help anyone who would require their services. Eric Elgin is a local water specialist that can help as well. There is also a clean lake monitoring program that people can get involved in.

Jim Akershoek – the water clarity is terrible on Brooks Lake. Rosen said there is a forum on Sept 20 in the drain commission office and everyone is welcome to come

Joe Harrington – thinks that many people think tall vegetation will be put in a block views and he doesn't feel that is the case. Eric Elgin previously stated that Wisconsin has 35' greenbelt areas. He thinks even that would be great to help protect the lakes.

Jason Bradley – he is still asking about what exactly the PC is doing with the greenbelt because the is still confusion. He wanted to know if there has been an amendment written? At this point there has been no amendment written.

Moved by Rosen, **Seconded** by Hummel to close the public hearing and re-open the regular meeting.

Approved Unanimously

APPROVAL OF MINUTES:

Moved by Schultz, **Seconded** by Baker to accept the minutes of the July 24, 2017 meeting as written.

Approved Unanimously

PUBLIC COMMENT: Comments received

CORRESPONDENCE: None

UNFINISHED BUSINESS:

1. Sec 3.09 Development Standards Home Occupation sign height – this was in error, covered in sec 16.09.
2. Sec 3.17b Permits – Temporary
3. Sec 3.28 No Zoning Application or Approvals or Permits for a Property that is in Violation of this Ordinance or a Court order or Judgement
4. Sec 3.29 No Approval for Illegal Uses
5. Sec 4.09 Summary of District Land Uses
6. Sec 9.06 Development Standards Greenbelts for lakes
7. Sec 14.12 Specific Standards Solar Farm Standards
8. Sec 16.09 Schedule of Sign Regulations
9. Sec 23.03 Effective date (amendment)
Moved by Baker, **Seconded** by Hummel to send all housecleaning language changes, additions, deletions, and corrections for #2-9 above to the Township Board for approval.
Approved unanimously.
10. Medical Marijuana – It will be on the agenda for next month.

NEW BUSINESS:

1. By-laws/voting procedures – It will be on the agenda for next month.

STAFF UPDATE: The ZA's report for July is attached.

PUBLIC COMMENT: Comments received

PLANNING COMMISSION MEMBER COMMENTS: Comments received.

ADJOURNMENT:

Moved by Baker, **Seconded** by Hummel to adjourn at 9:20 pm
Approved Unanimously

Respectfully Submitted,

Pat Baker
Planning Commission Secretary

Jennifer Badgero
Clerk