

**Lake Township Planning Commission
Regular Meeting
May 8, 2024
4988 W. Kinde Rd, Caseville MI 48275**

Unapproved Minutes

The meeting was called to order at 6:00 by Siver at the Lake Township Hall.

Roll call: Keith Hoffman, Bob Siver, Nicole Collins, Tim Quinn, Matt Pryor present.

Zoning Administrator, Tory Geilhart present as well as one (1) guest virtually.

Approval of Agenda: Motion made by Collins to approve the agenda with the addition of correspondence from Eastern Michigan Council of Governments (EMCOG) and an update on the short-term rental lawsuit, seconded by Pryor. All ayes – passed.

Approval of Minutes: Motion made by Collins to approve the March 13, 2024 Minutes, seconded by Quinn. All ayes – passed.

Correspondence:

- Zoning Permit Reports for February and March 2024 – no comments.
- Monthly Permit Reports for February and March 2024 – Geilhart advised PC that a lot has been going on in the township; five to six property owners looking at building new houses. Siver asked if there were zoning issues. Geilhart advised he tries to work with the people to resolve issues and people are tolerant of the zoning ordinances. Geilhart advised he is also working on the Land Use Report to provide to the PC.

New Business:

Adoption of Bylaws for April 2024 – March 2025 – Hoffman advised in **Section 3: Duties of the Planning Commission E.** stated the review of the bylaws is yearly at the April meeting but due to the PC meeting every other month this year, the language should address that change. After discussion, motion by Collins to approve the bylaws to read “Review bylaws yearly at the second meeting of the year.”, seconded by Quinn. All ayes – passed.

Old Business:

Zoning ordinance amendments – Siver advised the PC that the Board is going to make the firewood ordinance a general ordinance.

Continuation of Zoning Ordinance Amendment issues as per Mark Eidelson’s correspondence of January 20, 2023 – item #6, **Increase flexibility to allow applicants to**

build on existing “nonconforming footprints,” such as enabling the erection of a second story on an existing nonconforming dwelling (setback encroachment), with appropriate restrictions to minimize impacts on neighboring lots. Siver stated that this issue is still outstanding, however, at the last meeting it was discussed that variance requests have cooled off and possibly there is no urgency to this issue. Siver further stated that with the frenzy in building, see what comes out of it to see if it proves to be an issue. Geilhart stated that the people know the PC is always considering and looking at considering amendments and changes to the ordinance and individuals will check in with Geilhart to see if the PC is making any progress. Hoffman stated that initially the PC was in agreement that the existing footprint would be fine for a one-story but the discussion evolved into should it be allowed for a new build and the PC went back on forth on that issue. Hoffman further stated he believes the PC agreed that the existing footprint would not work if it was a second story build.

Geilhart stated he is more passionate about the road setback issue (item #4 of LandPlan’s 01/20/2023 letter) and hasn’t seen any progress on that and it is a more pressing issue with the new builds. Hoffman referred to the July 26, 2023 PC Minutes wherein the PC is recommending to the Board to modify the front yard setback in the R1 District to incorporate a setback averaging system of 500’ identified as 250’ on each side of the home but in no case shall that average be less than 18’. Collins stated the township will run into issues in other districts where people want to build closer than what the setback is for in that district. Hoffman stated there was a lot of discussion about R1 and R2 and the discussion was to maintain the 25’ setback for R2. Geilhart stated this issue occurs in the R2 district too. Geilhart asked if the PC would consider decreasing the 250’ and 18’ setback. Siver asked Geilhart if he can provide addresses of properties where this is an issue so PC members could drive by to get a sense of the issue. Collins stated she would not consider a decrease in the setbacks and Hoffman agreed due to safety issues. After lengthy discussion, Siver asked Geilhart if he would take some of the PC members on a guided tour in the R2 district to see the examples; Geilhart stated he would (tentatively set for the week of May 13 – 17, 2024).

Siver stated the PC will revisit item #4 as it relates to the R2 district. Siver will correlate all the other PC items and distribute to the members to review; it was suggested to set a deadline to rap these items up by the July meeting. After further discussion, the PC agreed to schedule a meeting in June to revisit item #4 for the R2 district and review the other items in an effort to meet the suggested July deadline. Motion by Collins to hold a PC meeting on June 12, 2024 at 6:00 p.m., seconded by Hoffman. All ayes – passed.

Siver distributed information from the **East Michigan Council of Governments (EMCOG)**. Siver stated this consortium offers a lot of benefits to its members. Siver referred the PC members to page 13 of the document, **Comprehensive and local planning technical assistance**, i.e. master plans, recreation plans, etc., and stated the assistance would be helpful, however, Siver stated it should be not be relied upon exclusively. Siver stated the PC needs to be looking for a replacement for LandPlan when the PC starts addressing the approaching issues. Siver will look into setting up replacement candidates for LandPlan. Quinn advised he attends meetings in Clawson and knows of gentleman that does work that is similar to what LandPlan does and he is very thorough. Siver stated that would be a good start particularly if he has experience in rural communities; Quinn stated he look into it.

Siver stated with respect to the solar ordinance, there are a lot of solar ordinances around the state and the PC should be able to use an existing ordinance as a template instead of reinventing

the wheel. Hoffman stated the township attorney provided an ordinance from another municipality that is pretty thorough. Collins stated the township needs to be prepared and suggested that the PC take the solar ordinance that was provided by the attorney and tweak it to fit the township's needs and sent it back to the attorney for review.

Siver stated he believes the recreation plan needs to be more uniquely tailored to our community. Collins stated there is a recreation plan template and she will get a copy to the PC members. Collins stated she believes the template can also be tweaked to fit the township's needs.

Hoffman asked if there were any updates on the STR court case. Collins advised that the township won the case; the township justly denied the petition. Hoffman stated he has heard talk of five to six people going in on a lawsuit to sue the township based on the STR ordinance; not being able to rent their property on a short-term basis. Hoffman stated the House of Representatives is sitting on legislation for short-term rentals.

Public Comments: None

Motion made by Collins to adjourn, seconded by Quinn. All ayes – passed.

Meeting adjourned at 7:30 p.m.

Next meeting Wednesday, June 12, 2024 at 6:00 p.m.

Submitted by Lisa Clinton