

**Banks Township Planning Commission
Regular Meeting Minutes
August 8, 2017
6:00 p.m.**

1. Call to Order: 6:04 P.m.

2. Roll/ Recognition of visitors:

Present: Bill Austin, Tom Cooper, Don Miles, Steve Parafin, Joni Wieland

Absent:

Also present, Claire Karner, Irene Shooks, Andy Veenstra, Bud Tornga, Thomas Mann, Cassie Pardee, E.L. Kasmer, Jarris Rubingh, Nancy Hersha, Davis Spencer, Bill Hott, Donna Heeres, Gene Drenth, Marv Rubingh, Deb & Jeff Cook, Kathy & Bill Richardson, Irene Bishaw, Travis Chellis, Matt, Erin & Brandie Heeres. Jan Drost.

3. Approval of Minutes: Minutes of June meeting approved with change to section 8 c, motion to read MMS by Parafin, Austin, to send draft Noise Ordinance forward to Township Board. MC. June Minutes approved. MMS by Wieland, Cooper to approve July minutes. MC

4. Public Hearings:

A. Storage Container Ordinance (Articles III and IV)

Public Comment opened at 6:14

Marv Rubingh: I am asking the commission to re-consider 3-e. There is no benefit to require concrete, asphalt, etc. I suggest allowing placement on the ground.

Donna Heeres: Item 2: "building" permit or zoning permit?

Davis Spencer: Because of the size of my property, I can screen a cargo container. What about a smaller lot? Can they be decorated? How many on a property? Could they be anchored instead of footings?

Public Comment closed at 6:19

B. Second: Revisions to the Telecommunications Ordinance (Articles III, VI and VIII)

Claire Karner introduced the rationale for the ordinance change:

The commission felt the need to understand that some are not permitted, to see that regulations are clear for both new towers and co-location.

Definitions are now updated for new towers and co-location. Ordinance is consistent in all districts. We raised the allowed height from 99 to 130 feet without a Special Use Permit and changed district regulations to allow them in all districts.

Updated that co-location do not need permit, so not tracked.

One year grace period for towers for placed towers that did not get a permit.

We just need consistent language throughout the ordinance.

Public Comment opened at 6:25

Donna Heeres asked how these changes impacts public right of way.

Claire Karner: per 13 A-1, they cannot be in the public right of way.

Nancy Hersha: who will police whether or not they are in the right of way (County Road Commission's jurisdiction). Andy Veenstra would follow-up based on complaint

Bill Austin: what about towers on silos?

Claire: co-location is allowed.

Public Comment closed at 6:30

5. Public comment on non-agenda items:

Irene Bishaw commented on noise at Preferred Waste, with all the trucks in and out.

Matt Heeres: We would like to host a D-14 Hare Scramble Race AMA (Letter presented explaining the race and more details). This pertains to mom & dad's farm. We have been heavily involved in off road racing and we have been in contacted about hosting a race. There is no language in zoning as to whether it was allowed or not

There would be no public road crossing, EMT and Fire have been contacted. Each cycle has to pass sound test. We would have to go to a sanctioning meeting. I would go with the Twin Bay travel riders, hoping to host the spring of 2018. We are hoping that the race will go well enough to do a second. Camping would be primitive camping only. Rigs do come, and they will be made aware of local campgrounds. There were 180 attendees at Rapid City, and we are estimating 250 racers. This would be good for everyone—local business, etc. Booths could be hosted by Lionesses or churches. I have been in contact with neighboring property owners, with no complaints. This is not a track race but a course.

Travis Chellis: I also do these races. I'm a Gaylord police officer. These are family events, really promoting the area. Horse riding facility immediately across the roads. 2-3 hour races. Dedicated riders.

6. Response and comment from commissioners: none at this time

7. Reports:

Zoning board of Appeals: none

Zoning Administrator:

- 3 building permits since last meeting, storage, barn, house
- Still working –deck in middle of property, 2 sections, different ID #'s. It is in sections 35 & 36, house on 35, deck on 36. Can we legally allow it?

Claire Karner: Easiest way is to adjoin the parcels

Andy Veenstra: Legally we cannot join parcels in 2 separate sections.

Claire will continue research to get an answer.

Township Board representative: Tom highlighted some items from the meeting:

- School wants to rent township hall till school construction is finished
- Tony Cutler present plaque to Hugh Campbell
- School bus turnaround encroaches village property. Village will allow this use.
- Sea plane dock request
- Replace deck on Clay Pit Bridge
- No action on noise ordinance, but discussed presenting it county wide to see if a consensus can be reached for county wide enforcement

Planning Consultant:

- met with Ellsworth Village Board. A joint meeting this fall with other boards on parks and recreation is planned for early October.
- Update to planning effort with Ellsworth & Atwood.

8. Old Business:

1. Update on Short Term Rental guideline development – Steve

Completed update. Basic guideline as to how to be a good host, rules in place for renters. Will bring language next month. Make resorting a good thing in our community.

Because of discussion, decided not to have an ordinance, but to have guidelines.

Distribution: mail out to property owners who rent, available on the website,

Gene Kasmer: I've got serious issues with noise, reckless driving (sheriff's responsibility

2. Finding of Facts: Sand and Gravel Extraction Special Use Permit – Joni and Steve

- a. More information needed, so Findings of Fact document was needed.
- b. Working group and applicant have been working together
- c. Special circumstances that needed to be addressed.
- d. Joni : traffic: Antrim County Road Commission has been contacted. We will continue on the finding of facts
- e. Not in position to put out Findings of Fact yet. This could take up to 2 months, while we are waiting for answers to our questions.

Nancy: I feel we should be able to know what is being looked at

Answer: Soil boring, ground water, outside engineer involved for reclaiming, buffer,

Claire: John has worked with many communities, projecting road impact.

Making sure the community knows the impact.

Cathy Richardson, 6 Mile Lake road, why can't the company working it take care of the roads.

Cassie Pardee: constant noise. Road is really bad...dirt, gravel, animals to worry about, trees dumped. Constant concern for me with my kids with the drop-offs. To see people just do this to the land...just doesn't make sense. A quick fix on roads are doing absolutely. Nothing

Bill Hott, apologize for hot head last month.. Glad you haven't taken a vote. Road traffic, double bottom tankers, not just the noise, everything where that truck is going.

Matt Heeres: perspective: everything that comes to your house comes on a truck. It comes from somewhere. If you don't want a pit, buy the property. I'm not vouching for anyone.

Joni: Marv has been very cooperative in this issue, did not push back.

Irene Bishaw: there are lots of places. Doesn't have to be right there

Gary Spencer. Have an issue with trucks on all the truck using the roads, and the roads are not designed for that weight. Rex Beech Road—there is still gravel there. Situation has become an issue with the truck traffic.

Jeff Cook: noise, dust, etc. Are we trying to be known as the gravel capital of Michigan? Double Bottom rattles the windows coming in empty, and loaded, it's much worse.

Gene Kasmer: what got me started, they said when finished, it would be 45 degrees. High risk. I have been a project manager several business: adjoin an existing quarry. Why would we put a quarry next to an existing quarry? Can it be leased out to someone else? Permit is for the land, not the owner. It would devalue the neighboring property.

Don: We will continue to look at things, and make sure we deal with all pertinent information. Change of speed limits? Who's jurisdiction? Tom will relay info to the Township board.

3. Next steps on Ordinance changes need for "Tiny Homes"

Claire: APA addressing tiny homes, rural communities considering allowing them. Looking at current ordinance, district regulations don't allow less than 20. Width is 14 in ag and mobile home. Some portable homes are on chassis. Only one community in Michigan, Briley Township. Created separate language for economy efficiency units. Identify where they might be appropriate. Could allow them for special use, as opposed to by right. County regulations are 200 ft for a structure, not a dwelling unit. More popular, probably an issue that will continue to come before us, for summer residence, something cheaper. More conscious of eco-fit. Trying to get ahead of it.
Steve, Don to write language and work with Claire

9. New Business/ announcements/correspondence:

- a. MTA Training in August in Cadillac: "Hot Topics in Planning and Zoning", we are past the early registration deadline, but might be the 23rd. We can let Donna

know if you are interested

b. Storage container issue: Items for consideration: can't see from the property line? As long as they are maintained, etc...need some work on that. Positioning on level solid surface? More than one high? Should they be stacked? They are designed for stacking. How many on a piece of property. Use Shed setbacks?

Marv: Economical storage, reduce blight...secure, strong, Saves land by stacking.

Nancy: I think I'd like looking at that rather than junk all over.

Claire has direction, so can work from there. Higher than 2 reduces the usefulness.

Density per acres. Have regulations as to how much of your property can be covered.

10. Next Meeting: September 12, 2017

11. Adjournment: MMS by Cooper, Parafin, to adjourn at 7:49 MC



Joni Wieland, sec'y



Irene Shooks, rec/sec