

**Minutes from the
Almira Township Planning Commission Meeting**

January 9, 2024

6:00 p.m.

Call to Order: Chairperson Ratajczak called the meeting to order at 6:02 p.m. at the Almira Townhall in the Village of Lake Ann.

Members Present: Ryan Ratajczak, Duane Newman, Kurt Swartz, Shannon Jordan. Lori Florip and Melisa Martin were excused. Vince Edwards arrived at 7:05 pm from his Village Council meeting.

Additions/Deletions to Agenda: Under Old Business: add Item A. Master Plan Feed Back and then change the rest of the Old Business Item letters to follow in alphabetical order.

Approval of Agenda: *Motion by Swartz*, supported by Jordan, to approve the agenda as amended. All ayes, no nays, Florip and Martin excused, Edwards at Village Council meeting, motion passed.

Approval of Minutes: *Motion by Swartz*, supported by Newman, to approve the meeting minutes of December 5, 2023, as presented. All ayes, no nays, Florip and Martin excused, Edwards at Village Council meeting, motion passed.

Brief Public Comment: No brief public comment on items not on agenda.

Zoning Administrator: Z/A Preston presented information regarding number of permits this year versus last year; the count of dwelling construction by month, and a monthly complaint report. Kate asked the Commissioners how many years they wanted to see on the number of permits issued report, and the Commissioners would like to see the past two years with the current year.

Township Board Representative: Township Board member Florip was excused but she had asked recording secretary to give a report which was that the Board has been working on ARPA fund projects, Master Plan comments, Master Plan Public Hearing to be held March 5th, 2024, and a budget workshop meeting has been scheduled for January 30th, 2024 at 9:00 a.m. at the Township Office.

Zoning Board of Appeals Representative: Martin excused and no meetings have been scheduled.

Intergovernmental Representative: Vince Edwards, Lake Ann Village Council member, arrived at 7:05 p.m. and gave his report at the end of the meeting. He stated that the Village had held a budget workshop for the 2024/2025 fiscal year; the Village Council voted to move forward with the Village Short Term Rental Ordinance and will be having a public hearing on it at the Village Council February meeting. The Village Council will start a "Leader of the Year" recognition award. Vince also stated that Community Coffee, which is the second Wednesday of the month at the Red Door Coffee Shop, had been cancelled for January. Community Coffee has a "Magic Minute" session where attendees get a minute to talk about concerns,

accomplishments, etc. Vince also stated that the Village Clerk and Treasurer, nonvoting members, are great assets to the Village Council.

Conflict(s) of Interest: None

Guests: Keith Diedrick, Jon Pickard, Jim Brouwer, Laurie Harm, Zane Gray, Maureen Gray

Old Business:

- A. Master Plan Feed Back:** Ratajczak and Preston explained newest information given by legal counsel that Light Industrial district did not necessarily need to be in the Master Plan since the same allowances were already in Commercial district. Jim Brouwer, an Inland Township resident who owns property is just South of Almira Township stated that the Master Plan did not need to have sand and gravel in it; the Master Plan would not stand up in a court of law, remove Light Industrial from page 38 of the Master Plan, that most complaints about sand and gravel was the back up alarms from the equipment. Laurie Harm stated that she was told that in Light Industrial areas, noise of any kind was not allowed. Maureen Gray asked why put Light Industrial on the West side of 669 where it will never be used for Light Industrial and that all residents should be concerned about agricultural areas. Zane Gray wanted to know why is Light Industrial even on/in the Master Plan. Keith Diedrick stated that agriculture is his business and if Light Industrial is put where Master Plan is indicating, then his business would not be allowed at all. ZA Preston stated that on the West side of 669 has been agriculture for 100+ years and now the East side of 669 is being used for agriculture. Kate also stated that agriculture is NOT allowed in any way in Light Industrial districts. Jordan stated that she did not think Light Industrial was even needed. Keith Diedrick also stated that he found several language/spelling errors in the Master Plan and that he is not impressed with the work of Networks Northwest nor his interactions with this company's contact representative. Jon Pickard asked when and if this concern would happen again when the next review of Master Plan takes place. Ratajczak stated that there was no way that could be answered today. Commissioners discussed the feed back and it was the consensus that at the March public hearing the Planning Commission will be recommending that all references to Light Industrial be removed from the Master Plan, citing the future land use map, references on pages 32, 34, and 38, and any other sections where it is found. ZA Preston stated that she had gotten emails from Jeannine and David Stanaway and Pete Gray in opposition to the proposed Light Industrial district proposed in the Master Plan.
- B. Zoning Ordinance Amendment: Section 4.07 Camping/Recreational Vehicles:** Z/A Preston presented the proposed draft amendment as follows: Private, non-commercial camping shall be allowed on any property, whether vacant or improved, subject to restrictions as to number and duration of camping units. The property owners may occupy a single tent, travel trailer, motor home, or similar vehicle for up to, but no more than, one hundred eighty (180) consecutive days. Additional and/or non-owner-occupied camping units are permitted for up to, but no more than, twenty-one (21) consecutive days per unit. Commercial camping, where camping units are marketed, promoted, and/or sold, is not a permitted use in any district.

The occupants of any tents, travel trailers, motor homes and other similar vehicles used for private, non-commercial camping shall have access to appropriate sanitary facilities, and all waste disposals shall meet health department requirements. Outdoor storage of unoccupied

recreational vehicles is limited to those owned by the property owner and may not be within any required setbacks.

Discussion took place with the consensus that this amendment would be added to the March Public Hearing agenda.

- C. Zoning Ordinance Amendment: Section 4.09: Second Dwelling on Parcel: Z/A**
Preston reviewed and explained the proposed amendment. Discussion took place with this item to be put on the February meeting agenda.
- D. Zoning Ordinance Amendment: Section 4.29: Utility Scale Solar Energy Systems:**
This amendment language was reviewed at previous meetings and can be added to the March public hearing agenda.
- E. Zoning Ordinance Amendment: Article I Section 1.05: Limitation of ZO: Z/A** Preston explained and reviewed the proposed amendment as follows:

Section 1.05 – Limitation of Zoning Ordinance

Accessory buildings or structures exclusively used for the purpose of Agriculture, such as barns, sheds, pens, or fences, are exempt from all but the following provisions of this Zoning Ordinance:

- A. Accessory buildings exclusively used for Agriculture must apply for a Zoning Permit, as defined in Section 9.03 of this Ordinance.
- B. Accessory buildings exclusively used for Agriculture must meet all required setbacks, as defined in Section 6.07 of this Ordinance.
- C. Fences over six and one-half feet (6 feet 6 inches) in height used for Agriculture must be of an Open Fence design, as provided in Section 4.12 of this Ordinance.

Discussion took place with the consensus that this amendment can be added to the March public hearing agenda.

- F. Zoning Ordinance Amendment: Section 4.25: Animals: Z/A** Preston explained and reviewed the proposed amendment as follows:

4.25 – Animals

The following regulations shall apply to the keeping of animals and livestock:

- A. The raising or keeping of small animals, such as rabbits, poultry, goats or sheep, is permitted on parcels one (1) acre or more in size. On parcels less than one (1) acre in size, small animals are only allowed under the following conditions:
 - 1. Up to four (4) chickens (no roosters) may be kept if housed within a total enclosure at all times, located outside of property setbacks and screened so as not to become objectional to neighboring residential use.
 - 2. Small animals may be kept as individual pets or 4-H projects if properly housed and fenced, located outside of property setbacks and screened so as not to become objectional to neighboring residential use.

- B. The raising or keeping of large animals, such as hogs, horses or cattle, is permitted on parcels four (4) or more acres in size. Large animals shall not be kept closer than one hundred fifty (150) feet from adjoining non-farm residences. All animals are to be properly housed and fenced so as not to create a public nuisance.
- C. On parcels less than four (4) acres in size but larger than two and a half (2.5) acres in size, a limited number of large animals may be allowed, subject to Planning Commission approval per **Article VII: Site Plan Review**. Reasonable conditions may be imposed by the Planning Commission, including but not limited to:
 - 1. Limitation on number of large animals, for the purpose of reducing nuisance to adjoining non-farm residences
 - 2. Requirement for a Buffer Strip, for the purpose of reducing noise to adjoining non-farm residences
 - 3. Setback for manure storage, for the purpose of reducing odor to adjoining non-farm residences
- D. The raising or keeping of animals for the purposes of Agriculture shall be in full compliance with the Michigan Right to Farm Act, Act 93 of the Public Acts of 1981, as amended, and in full compliance with Michigan generally accepted agricultural management practices (GAAMPs) for the animals in question.

Discussion took place with the consensus that ZA Preston will review and update for the February meeting agenda.

- G. Zoning Ordinance Amendment: Article III: Definitions, Non-Conforming Lot of Record, Kennel, Structure, Open Fences:** Z/A Preston explained and reviewed the proposed amendment regarding the definition of structure as follows: Anything constructed, erected, or placed which requires permanent location on the ground or attachment to something having such location on the ground. Structures include, but are not limited to buildings, decks, docks, advertising signs, storage sheds, play equipment, shipping containers, radio towers, flag poles, antennas, septic systems, and storage tanks.

Kate then explained and reviewed the proposed amendment regarding the definition of open fence and fence, open as follows: **Open Fence:** A fence constructed in such a way that no more than 20% of the surface area of the fence obstructs a view through the fence from a position perpendicular to the fence.

Fence, Open: See *Open Fence*

Discussion took place with the consensus that both of these definitions be added to the March public hearing agenda with ZA Preston checking into septic systems as being considered structures.

- H. Accessory Building Minor permit requirements – Review:** Z/A Preston would like the Planning Commission to review definitions for this including Section 9.03 Zoning Permit

in the Zoning Ordinance. Discussion took place. *Motion by* Jordan, supported by Edwards, to eliminate that a permit is required for Accessory Building Minor. All ayes, no nays, Florip and Martin excused, motion passed. This is to be added to the March public hearing agenda.

- I. **Special Use Review: Event Centers:** ZA Preston presented language for the Commissioners to review. Discussion took place with the consensus of the Commissioners that this will not be added to the current public hearing agenda and that Kate should keep this language on file for possible future discussion.

New Business:

- A. **Election of Chairperson:** *Motion by* Jordan, supported by Swartz, to nominate Ryan Ratajczak as Chairperson. Ryan accepted the nomination. All ayes, no nays, Florip and Martin excused, motion passed.
- B. **Election of Vice Chairperson:** *Motion by* Ratajczak, supported by Edwards, to nominate Kurt Swartz as Vice Chairperson. Kurt accepted the nomination. All ayes, no nays, Florip and Martin excused, motion passed.
- C. **Election of Secretary:** *Motion by* Edwards, supported by Jordan, to nominate Melisa Martin as Secretary. Melisa was excused from the meeting but had informed Chairperson Ratajczak that she would be willing to continue as secretary. All ayes, no nays, Florip and Martin excused, motion passed.
- D. **Approval of Meeting Dates for 2024:** Chairperson Ratajczak reviewed the presented Notice of Planning Commission Meetings. Discussion took place. *Motion by* Swartz, supported by Edwards, to approve the Notice of Planning Commission Meetings as amended. All ayes, no nays, Florip and Martin excused, motion passed.
- E. **Short Term Rental Renewal of Applications – Discussion:** Ratajczak asked ZA Preston to review her process for these renewals. She explained her process, which started last October and all renewals, that needed to be renewed, have now been renewed.

Extended Public Comment: Jim Bouwer stated the Planning Commissioners are doing a great job especially for engaging the public during agenda item topics.

Commissioner Comments: Edwards stated that ZA Preston is doing a good job.

Chair Comments: Ratajczak thanked everyone for attending and stated he is looking forward to a strong year to come. Great job ZA Preston for all the work you have done in such a short time.

Adjourn: Chairperson Ratajczak adjourned the meeting at 8:11 p.m.

Mary Dort, Recording Secretary