

Hope Township Planning Commission

Meeting Minutes

June 20, 2024

The meeting was called to order by Chair Norton at 6:30 pm at the Hope Township Hall, 5463 S. M-43, Hastings, MI 49058. Pledge of Allegiance to the flag.

Members present: Bob Norton, Junior Homister, Craig Jenkins, Jim McKelvey, Roger Pashby.

Members absent: None.

Others Present: Township Planner/Zoning Administrator Nathan Mehmed and approximately 15 members of the public.

Agenda: Motion by Pashby, supported by Homister, to approve the agenda as presented. All ayes. Motion carried.

Meeting minutes: Motion by Pashby, supported by Homister to approve the May 16, 2024 meeting minutes. All ayes. Motion carried.

General Public Comment:

Dave Jackson, 5395 Guernsey Lake Rd: Dave expressed that he is at the meeting speaking on behalf of the Long Lake Association, Greater Wall Lake Association, and the Healthy Waters Alliance. He is also a Barry County Commissioner. Dave indicated that a letter was also sent to the Planning Commission addressing some of what he is discussing, and that they met with the Township Supervisor first. The three lake associations are particularly concerned about gravel mining in the Township. He expressed that it was an interesting three years of the gravel mining application and he appreciates everything that the Planning Commission has done. Dave noted that the Planning Commission should be diligent to be sure that the Master Plan is easy to understand, particularly related to gravel mining and lake protection. To ensure a better way forward, there are a few things that the Planning Commission can do: 1) Look at rezoning. There are areas next to lakes that should be RL; 2) setbacks should be increased for mining operations; 3) and better streamline the process and make it more predictable for everyone so that more information is provided up front. If there is anything that the lake associations can do to help, they would like to have a voice and participate.

Public Hearing: Zoning Ordinance Amendment Sections 2.1, 4.2, 16.5, and 17.2:

- a. Introductory comments. Mehmed briefly explained the changes in each section of the ordinance. The draft is essentially what the Planning Commission discussed at the last meeting with a few minor modifications. He noted that the amendment would take an existing use in the Zoning Ordinance (farm supply stores), slightly modify the definition, and allow it in the AR district as a special exception use with additional requirements specific to the use. The amendment would only allow farm supply stores on lots with M-43 frontage in the AR district. The use is currently permitted in C-2 and C-3 as well.
- b. Acknowledge written comments received. Norton acknowledged that there was late written comment received by Robert Dimond.
- c. Open public hearing to receive comments. Norton opened the public hearing.

Eric Lindsley, 6873 S. M-43 Hwy: Eric explained that he thought about the farm supply store a bit more since the last meeting. He grew up going to Ackers Point. If someone were to propose Ackers Point today, people would be against it as well. Small business should be supported, that is where community comes from. That is where people begin working, where they learn, and where they establish interests. We should be careful to be against business. No one from Long Lake can see Joe's business and it is well kept.

Jill Steele, 4153 S Shore Dr: Jill explained that she thought it was interesting that Chair Norton stated that the Planning Commission would be interested in Eric Lindsley's request for pool covers only if there were a lot of examples of this being done elsewhere, yet there are very few examples of farm supply stores in agricultural districts anywhere else. Why would you permit this? Other communities such as Shelby Township are moving away from commercial uses in districts such as this and are differentiating between the two. There is applicable case law also. What is the public purpose of this? There are no changed circumstances that justify retail sales in this location or the amendment. If approved, the community will be seeking the signatures required for referendum.

Rick Steele, 4153 S Shore Dr: Rick noted that Tractor Supply is a farm supply store. What about when Joe is gone? Are we going to get a larger store?

Greg Lake, 7654 Igowild Dr: Greg doesn't see an issue with the location or the business. There are no houses nearby and it is not residential in nature. The property has been kept neat and clean. Ordinances from the other side of the state are not comparable. One shoe doesn't fit all.

Christine Zuzga, 4169 S Shore Dr: Christine explained that the Michigan Zoning Enabling Act requires that a zoning ordinance be based on a plan. The Master Plan does not support commercial or retail in this area. The timing is not right as the Master Plan is currently being worked on. The request is not consistent with state law. Wait for the Master Plan to be done. Christine also noted that she has some issue with the amendment language and definition. The use of "primarily engaged in" is vague. What is the measurement? Will they have hazardous materials? Gasoline? Christine mentioned that she is a planner with a bachelors and masters degree and over 20 years of experience working in rural communities. She is willing and interested in serving on any boards and commissions.

Eric Lindsley, 6873 S. M-43 Hwy: Eric stated the he had one quick additional comment. What about size restrictions? Could the size of the building be restricted?

- d. Close public hearing. Norton closed the public hearing.
- e. Deliberation and motion. The Planning Commission largely agreed with the amendments as presented and previously discussed. Some discussion took place around the language and definition and whether or not "primarily dedicated to" should be used. Norton asked Mehmed if there were any legal issues or if there is an issue with the use in the AR district. Mehmed explained that the Master Plan does not specifically authorize any of the existing non-agricultural or non-residential uses as it currently stands. Most master plans will not exhaustively list uses, and the AR purpose statement uses "primarily for agricultural uses" to guide. This type of language offers flexibility in its interpretation. Mehmed polled his office, who works with nearly 70 communities, and there are many rural communities in Michigan that allow similar uses in agricultural districts. Rutland Township to the

north is a local example and Aurelius Township in Ingham County is another. Mehmed noted that the Planning Commission should always consider the Master Plan and land use impacts when making a decision such as this. He has added some protections through specific use standards that were based on previous discussions.

Motion by Jenkins, support by Homister to recommend the amendments to the Hope Township Board for approval. Roll call vote. Ayes: Norton, Homister, Jenkins, McKelvey. Nays: Pashby. Motion carried.

Master Plan Discussion and Review: Mehmed indicated that he has provided a suite of new existing conditions and natural features maps for review and discussion by the Planning Commission. Due to the large agenda, he did not provide the additional narrative or chapter text. Mehmed went through each map with the Planning Commission. There was some brief discussion about map legend figures. There was also a question regarding some of the content and sources. The Planning Commission noted that they look forward to the updated figures and narrative.

Zoning Administrator: Mehmed explained that Barry County had drafted language pertaining to solar energy systems and sent it to all communities. He has provided it in the packet for review and discussion. The deadline for comment has passed, but the public hearing is in July. Mehmed indicated that he had forwarded to Attorney Kaufman as well. He suggested that the Planning Commission review it and he will see if Attorney Kaufman has comments or is available for a future meeting, if authorized by the Township.

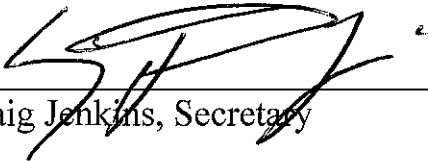
Discussion and examples pertaining to pool fences and covers: Mehmed explained that the Planning Commission asked him to bring some options pertaining to powered safety pool covers. He has provided a memo with the existing language, examples from the City of South Haven and the City of Cedar Springs, and potential text amendment language.

The Planning Commission discussed the memo and agreed that this seemed like a good way forward since the various codes permit this as an option. Jenkins explained that the cover option seemed safer in some circumstances. Norton expressed that after some thought, he is more supportive of this. The Planning Commission agreed to the draft language provided and asked Mehmed to set a

public hearing for the July meeting. It was discussed that the 25th of July would be best to ensure quorum.

Mehmed noted that planning and zoning activity is still up, but that there are no new variances on the horizon.

Adjournment: Motion to adjourn by Pashby. Second by McKelvey. All Ayes. Motion carried. Meeting concluded at 8:29 p.m.



Craig Jenkins, Secretary

8.15.24
Date