

SULLIVAN TOWNSHIP PLANNING COMMISSION REGULAR MEETING MINUTES FEBRUARY 12, 2019

1. **THE MEETING WAS CALLED TO ORDER AT 5:30 P.M.** by Chairman Anton.

2. **ROLL CALL:** **Members Present:** Tom Anton, Sue Buckner, John Carr, Glenn Gustafson, Eloise Jarka, Tom Jasick, Jim Kotecki
 Members Absent: None
 Guests: 3 Residents; 1 Guest; Professional Planner; Surveyor/Special Request Support; 1 attendee via conference call

3. **MINUTES FROM THE JANUARY 8, 2019, MEETING:** Review of the January 8, 2019, meeting minutes, which were postponed on January 15, 2019, were presented by the Chairman followed by the minutes from the January 15, 2019 Public Hearing. Tom Jasick offered a motion to accept both meeting minutes as presented with a typo correction in Item 6 of the January 15 meeting. The motion was supported by Sue Buckner and approved by all Planning Commission members.

4. **AGENDA:** **Black Water Farms Special Use Request Update**
 Whispering Whitetails Private Street Special Use Request
 Parks & Recreation Plan Grant Issues
 Fairgrounds Issues

Black Water Farms Special Use Request Update: A letter regarding Planning Commission questions sent to the applicant was returned as no such mailing address is recognized at the Post Office. Also, the applicant had requested his check be returned and stopped payment on it. Since the check had been deposited at the bank, the Board Clerk was unable to respond to the request.

Adjacent property owners were concerned that strangers and their animals (dogs) could access property not included in the request and liability should hunters be injured on their property. There also has been a 'shed' constructed on the property which the applicant stated was not used for over-night stay but other attendees at the meeting stated that they had observed that type of activity.

The Right-to-Farm Act may or may not apply to the activities on this property as well as the zoning ordinance. The Professional Planner and the Attorney will discuss this. The applicant will need to clarify his intended uses and the legal land owner needs to indicate his knowledge of the application and approval for a special use. Also, because the Township questioned the property owner's undisclosed wishes with regard to the special request use, the Township Attorney has been contacted for the appropriate method to respond to the request.

Whispering Whitetails Private Street Special Use Request: The applicant's surveyor described in detail the use and plans for improving a portion of a public right-of-way. The Road Commission has indicated they have no future intentions to reconstruct that portion of the road and that the applicant's use needs to involve a significant road surface as required by the Township Ordinance for private road standards even though the upkeep and

maintenance will be the responsibility of property owners who will use that road for access to their properties.

The applicant has applied for abandonment by the Road Commission of a portion of Hile Road between Maple Island Road to the eastern boundary of his property which will access 6 portions of his present property. The Road Commission recommends that two easements exist if they approve the request for abandonment of the existing portion of Hile Road: one for the present owner's protection and one for the Drain Commissioner who will require access to an existing drain to the east of the owner's drive. Any potential new owners will require easements on the entire abandoned portion of the road. Emergency Services (9-1-1) and the Soil Conservation District have provided information that they have, or expect to have, approval of the improvements with conditions. Drain Commissioner approval is anticipated within the next 2-3 weeks.

Sue Buckner offered a motion to stating that the Planning Commission approve the special use request to the Township Board with the following conditions:

1. Prior to construction, the easement and maintenance agreement shall be executed by the owner, Soil Conservation District and Drain Commission. Detail concerning maintenance responsibility between all parties shall be specified.
2. The following approvals shall be secured prior to construction:
 - a. Muskegon County Drain Commissioner
 - b. Muskegon County Road Commissioner
 - c. Fruitport Fire Department
3. The entire Hile Road right-of-way shall be vacated prior to construction and rights for access and maintenance through the Soil Conservation District property shall be conveyed to the applicant.
4. The applicant shall comply with all testing, inspection and acceptance requirements of Sections 3.26 I.12 and 3.26 K (*Sullivan Township's Ordinance, Chapter 3*).

The motion was seconded by Eloise Jarka and unanimously approved by Planning Commission members. Wording of the recommendation to the Board for its approval will be provided to the Road Commission by the Secretary of the Planning Commission.

Parks & Recreation Plan Grant Issues: The Parks & Recreation Plan was approved by the Township Board at their meeting on February 4, 2019; State approval is still pending. Guidance in preparing an application for a grant from the State to develop a new Township Park allowing public access for enhanced use of the Musketawa Trail and a portion of a small lake for non-motorized recreational activities will be coordinated between the Professional Planner and a consultant familiar with grant applications. Prior to action on a grant from the State, the Township will begin design of the property for these recreational purposes.

The park development was suggested to be completed in a three-phased operation. A culvert, parking for a limited number of vehicles, a trail from the parking area to a boardwalk to the Musketawa Trail, a gate, a few picnic tables and grills might be included in phase one with additional amenities added during the two later phases. A maintenance plan and

budget for the Township's portion of the project will also need to be established to insure that the park is not allowed to deteriorate.

Ten days prior to a Board meeting to consider adopting a resolution of authorization for an application of a grant to assist in funding the parks, a notice shall be posted to the public announcing what date the Township Board will be meeting. This meeting should also include potential funds to be expended. The grant application consultant will be added to the log which was submitted with the recreation plan. To avoid potential problems, it would be prudent to target March 29, 2019 as the date for submission of the application, thus allowing several days to correct any errors or omissions.

Fairgrounds Issues: This will be on the agenda for discussion at the next Planning Meeting.

5. OTHER MATTERS TO BE DISCUSSED BY THE PLANNING COMMISSION: None

6. OLD BUSINESS: None

7. OPEN DISCUSSION FOR ITEMS NOT ON THE AGENDA: None

8. CORRESPONDENCE RECEIVED: None

9. PLANNING COMMISSION MEMBERS COMMENTS: None

10. REPORT OF TOWNSHIP BOARD REPRESENTATIVE: None

11. REPORT OF PROFESSIONAL PLANNER: None

12. NEW BUSINESS: None

13. PUBLIC HEARING DATES: None

14. NEXT REGULAR MEETING DATE: March 12, 2019, 5:30 p.m.

15. MOTION FOR ADJOURNMENT: A motion to adjourn at 8:15 p.m. was made by Tom Jasick, seconded by Jim Kotecki and unanimously approved by members present.

Respectfully submitted:

Eloise Jarka, Secretary
Sullivan Township Planning Commission