

**PENTWATER TOWNSHIP PLANNING COMMISSION**  
**327 S. HANCOCK STREET**  
**PENTWATER, MICHIGAN 49449**

**October 8, 2019**

**OPENING**

Chairperson Jim Gwillim called the Pentwater Township Meeting to order at 6:00 Pm. The Pledge of Allegiance was recited. Roll Call is listed below.

**ROLL CALL**

Tony Monton	Present
Janice Siska	Present
Jim Gwillim	Present
Buz Graettinger	Present
Tom Davis	Present
Paula DeGregorio	Present
Terry Cluchey	Excused

Keith Edwards the Zoning Administrator was present at the meeting.

**APPROVAL OF AGENDA, MINUTES AND CHAIRPERSON'S REMARKS**

Jim Gwillim asked for approval of the agenda. Jim Gwillim asked that the agenda be amended to move the public hearing on the 2019 Zoning Ordinance Update and discussion of the Zoning Ordinance Amendments under Old Business to after the New Business items. Tony Monton made a motion to approve the agenda with the changes. Buz Graettinger seconded. All ayes and the agenda was approved as amended.

Jim Gwillim asked for approval of the minutes from the meeting held on August 13, 2019. Tom Davis made a motion to approve and Buz Graettinger seconded. All ayes and the minutes were approved as written.

Jim Gwillim commented that the letter regarding the Golden Township Master Plan review was mailed and that the Citizen Planner program he is enrolled in is going well.

**PUBLIC COMMENTS - None**

**NEW BUSINESS**

- A. **Review of a proposed Nonconforming Building renovation at 8589 Bus. Rt. 31.** The owner stated it is not being utilized as a garage and he would like to add a bathroom and home office. Keith Edwards stated that it is a nonconforming building with no changes be made to the outside and recommends approval since it meets all the qualifications of Section 3.24.B.1 et seq., and subsection 8.

Tony Monton made a motion to approve (Keith) the renovations to the nonconforming detached garage at 8589 Bus. Rt. 31. Janice Siska seconded. All ayes and motion approved.

- B. **Discussion of Mining and Mineral Extraction Uses – Communication to Senator Bumstead.** Planning Commissioners were asked by the Township Board to review an August 30, 2019 letter of correspondence from Michigan State Senator Jon Bumstead regarding Senate Bill SB 431, which is a proposed amendment to PA 366 of 2018 that took away local Zoning authority on mining and resource extraction operations. Planning Commissioners reviewed the letter from Senator Bumstead, SB 431, PA 366 of 2018, and the current Pentwater Township Zoning Ordinance provisions for mining and extraction. In discussion with Zoning Administrator Keith Edwards, Planning Commission decided to recommend that the Township Board forward the following regarding SB 431 to Senator Bumstead:

- SB 431 should consider that mining and resource extraction could be allowed in any Zoning District, not just large rural parcels as there is no parcel size minimum in the bill;
- SB 431 may not put in place enough environmental protections for maintaining surface, ground water and air quality;
- SB 431 does not appear to provide any minimum standards to control dust, damage to roads or potential vehicular damage from trucks and the materials they carry;
- SB 431 does not provide for adequate financial assurance of the extraction operation;
- The financial stability clause in SB 431 is very weak – as there are no minimum standards to consider; and,
- The maximum number of years of operation is not mandated by SB 431, thus such an operation may grow in perpetuity.

## **DEPARTMENT / COMMITTEE REPORTS**

- A. Zoning Administrator, Keith Edwards highlighted his verbal report which was accepted by the Planning Commission.
- B. The Zoning Board of Appeals did not meet in September, no report was given.
- C. Vision Team Update - Paula DeGregorio stated Summer Poll cards with links to the Summer Poll were handed out to visitors around town. They had over 370 responses. The results are on the PentwaterVision.com website. They will be sending out Surveys to all the people with homes and property listed in the 49449 zip code areas next.

## **PUBLIC HEARING – 2019 Zoning Ordinance Update**

Jim Gwillim closed the regular meeting at 6:37 pm and opened the public hearing seeking input and comments from the public on the 2019 Zoning Ordinance Update. There were no members of the audience that desired to speak on the matter. Jim Gwillim closed the public hearing and reopened the regular meeting at 6:39 pm to discuss the old business.

## **OLD BUSINESS - Discussion and Recommendation to the Township Board on the 2019 Zoning Ordinance Update.**

Planning Commissioners briefly reviewed the memorandum provided by Zoning Administrator dated September 26, 2019 and the February, 2019 correspondence offered by attorney Mark Van Allsburg of the Mika Meyers law firm in Grand Rapids. Mr. Edwards also discussed his recommendation to amend the following chapters of the Zoning Ordinance:

Chapter 14 – Planned Unit Development: This chapter requires a major overhaul to incorporate changes based on case law and our attorney’s recommendations

Chapter 15 – Special Land Uses: Many of these provisions should be updated to reflect allowable changes with certain uses, and perhaps consider some new uses.

Chapter 20 – Signs: These provisions should be modernized to reflect the business climate and certain case law changes.

Chapter 21 – Zoning Map and Zoning Text Amendments: This chapter should be added as our Zoning Ordinance does not contain any provisions for these processes.

Buz Graettinger made a motion to have our Attorney work with the Zoning Administrator to review and draft Zoning Ordinance amendments for Chapters 14, 15, 20 and 21. Seconded by Paula Degregorio. All ayes and motion approved.

Tony Monton made a motion to recommend the Township Board of Trustees approve the proposed 2019 Zoning Ordinance Update Amendments. Buz Graettinger seconded. All ayes and motion approved.

The 2019 Zoning Ordinance Update will be forwarded to the Oceana County Planning Commission for review and comment prior to adoption by the Pentwater Township Board of Trustees.

**PLANNING COMMISSIONER COMMENTS – None.**

**PUBLIC COMMENTS – None.**

**ADJOURNMENT**

Janice Siska made a motion to adjourn the meeting, and Buz Graettinger seconded. All ayes and the meeting adjourned at 7:00 Pm.

Respectfully submitted by,

Janet K. Schomberg, Recording Secretary

October 11, 2019

Approved by the Planning Commission

\_\_\_\_\_  
Janice Siska, Secretary

February 11, 2020

Date