

Banks Township Planning Commission

Regular Meeting DRAFT Minutes

April 11, 2023

MMS to open Public Hearing regarding Amendment of Article IV: General Provisions, Section 4.08, Recreational Vehicles.

Public Hearing Procedures and Rules read by A. Hoeksema

The purpose of this amendment is the result of a request from a community member for a text amendment of 4.08, Recreational Vehicles, subsection 2. In addition to this the Commission recognized that the current language did require clarification as it contains some inconsistent language. Open for Public Comment.

Hi, I'm Nancy Hofmann, I live on Dunmoor in Ellsworth. I just had a question on paragraph 7, the use of between two and four RVs for recreational purposes. Is that for any size lot or parcel?

Response: AH – I don't know that we'll have an answer necessarily but I know that's the language question. Thank you

NH – Thank you

My name is Mike Comito. We have land in Antrim Dells. Got several ideas related to the 4.0 amendment. First, in section number 3, point number 3 I believe that it should include all districts. You shouldn't punish those in districts other than the R-1 and the Ag. Secondly, I believe that the acreage limit should be one acre or more which allows anyone who owns property to have the right to store and use their RV for 90 days total in a calendar year. Another point under the same, under number 3, those with less than one acre can store and use for 60 days overall in the calendar year. If you notice, I don't believe that it says 'store'. It says 'use' and I think you need to keep the 'store' and 'use' in there. Otherwise you create a violation that I don't think you want. Also on number three, why burden the zoning administrator with handling permits? If neighbors have a complaint they should first try neighbor to neighbor and if that doesn't work then call the zoning administrator. My question is how many complaints, and I know you can't answer but I'm just asking, how many complaints has the zoning administrator received about camping over the past three years and were they from the same or similar source? This can help guide your deliberations about whether or not to have permits. Number six I would eliminate it. Number seven would become number six and the new six should begin "the storage and use of between 2 to 4 RVs, So that again, making sure that there's storage included in that sentence. Otherwise you create a fault I don't think you intended. I believe that responsible camping should be allowed in Banks Township as long as it does not interfere with another's right to quiet enjoyment of their property. While some have mentioned that the Antrim Dells Association has certain rules, that is irrelevant to the Planning Commission's duties. This Commission has the responsibility to create fair and enforceable ordinances for the health, safety and welfare of the individuals who live, work, play and enjoy this beautiful township. I believe that the commission should apply common sense to the revised ordinances proposed which will accomplish the goals of responsibly enjoying this beautiful area.

AH – anybody else? (silence) Thank you. Do we have any written testimony?

CB – We got an email from Ken Schneider and Rick responded to that. That's all. (That email will be made part of the Public Hearing for the record. See attached)

AH – OK. Everybody on the commission did get that email and response. That concludes our first Public Hearing. If anyone would like to make a motion to close the public hearing. MMS A. Hoeksema, J. Waterman to close the Public Hearing. Motion carried. Public Hearing closed at 6:07 P.M.

We do have a second Public Hearing, this one in regards to Amendment of Article III: Definitions, pertaining to the definition of lot lines and setbacks. A. Hoeksema read the Public Hearing Procedures and Rules.

MMS T. Cooper, J. Waterman to open the Public Hearing. Motion carried. Public Hearing opened at 6:10 p.m. The proposed ordinance was sent for review by the township attorney. From his review the township and consulting attorney requested review and amendment to the definitions for lot lines and setbacks. There being no public comment and no written testimony, MMS J. Waterman, F. Hersha to close the Public Hearing. Motion carried. Public Hearing closed at 6:10 p.m.

MMS A. Hoeksema, J. Waterman to open Public Hearing regarding amendment of Article III and IV: Definitions and General Provisions, Section 4.31, Utility Scale Solar Energy Systems. Motion carried. Public Hearing opened at 6:10 p.m. Public Hearing Procedures and Rules were read by A. Hoeksema. This hearing is for the ordinance to permit utility scale solar energy systems. This is our second Public Hearing on this one after review from the Township board and consulting attorney to clarify some minor language pertaining to setbacks in section 4.31 subsection 2a. Is there any public comment? None. Is there any written comment, there is none. MMS A. Hoeksema, T. Cooper to close the Public Hearing, Motion carried. Public Hearing closed at 6:12 p.m.

1. Regular meeting was called to order at 6:13 by A. Hoeksema.

T. Cooper, F. Hersha, J. Waterman present, R. Diebold absent (excused)

2. Recognition of Guests and Visitors:

K. Lane – Beckett & Raeder consultant, K. Busman – zoning administrator, C. Busman – recording secretary. Mike and Sharon Comito, Nancy Hofmann, Bill Austin, which are all residents of Banks Township.

3. MMS J. Waterman, F. Hersha to approve the Minutes of the March 14, 2023 meeting as written. Motion carried.
4. Announcements and Correspondence – none received
5. Public Comment – None
6. Standing Reports:
 - a. Zoning Board of Appeals – has not met since last meeting
 - b. Zoning Administrator: Kurtis Busman – Receiving daily calls. 10 permits issued YTD. No issues.
 - c. Township Board representative: Tom Cooper - Highlighted the minutes from the Township Board meeting. All Planning Commission members have had opportunity to read them.

- d. Planning Consultant: Beckett & Raeder: Ken Lane – No planning report this month. Propose to start work on the Master Plan. He will work with Chair A. Hoeksema to put on next month’s agenda.
7. Unfinished Business:
- a. Proposed Ordinance Amendments:
 - i. Utility-Scale Solar Energy Systems
 - 1. Ready to go back to the Township Board and Antrim County Planning Commission. Following a Public Hearing held on April 11, 2023 MMS J. Waterman, T. Cooper to recommend approval to the Banks Township Board of Trustees Ordinance Number 2 of 2023, which will amend the Banks Township Zoning Ordinance Articles III and IV pertaining to the installation of Utility Scale Solar Energy Systems. Motion carried.
 - 2. K. Lane will send to the Antrim County Planning Commission.
 - ii. Definitions: Lot lines and setbacks
 - 1. Following a Public Hearing held on April 11, 2023 MMS T. Cooper, A. Hoeksema to recommend approval to the Banks Township Board of Trustees Ordinance Number 4 of 2023, which will amend the Banks Township Zoning Ordinance Articles III pertaining to the definitions of lot lines and setbacks. Motion carried.
 - iii. Recreational Vehicles
 - 1. Changes were to specify no permits are needed (Number 3) and the limit would be 90 days for both storage and use concurrently. Specification for R1 and AG districts on parcels greater than 3 acres remains the same. #7 no changes. Since these represent significant changes to the ordinance, The Planning Commission may elect to hold a Public Hearing in June after review at the May 2023 meeting. MMS J. Waterman, F. Hersha to postpone for additional discussion the RV ordinance till May meeting. Motion carried. K. Lane will provide a new draft ordinance.
 - b. Discussion Items:
 - i. Section 4.10 Animals: Keeping of small, non-commercial animals
 - 1. J. Waterman read the current ordinance. J. Waterman, R. Diebold, K. Busman met to discuss and created new language including removing the word ‘poultry’ from the list of animals requiring a 5 acre or larger parcel, allowing the keeping of poultry and rabbits in all districts, except Manufacturing or Village Manufacturing districts, regardless of lot size. K. Lane will get a draft together for the May meeting.
 - 2. 2022 Banks Township Planning Commission Annual Report
 - a. Rick emailed a copy to each of the PC members. Thanks to Rick for doing that work. MMS J. Waterman, T. Cooper to accept the 2022 Annual Report and to send it to the Bank Township Board. Motion carried.
8. New Business:
- a. None

9. Public Comment:

- a. Question from N. Hofmann regarding the 15 consecutive days specified in the RV ordinance. Would the RV be required to be moved off the premises for a certain period of time before returning for another 15 days?

10. Next Meeting: May 9, 2023

11. MMS J. Waterman, F. Hersha to adjourn. Motion carried. Meeting adjourned at 7:09 p.m.