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*Meeting called by:* Chairperson, Ellen Moore @ 7:34 PM

*Members present:* Babcock, Gunnell, Moore, Myers, Sawade, Sevey, Tilburt

*Others present:* Attorney – Ellick-Supervisor, Gross-Zoning Administrator

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*Pledge of Allegiance:*

*Approval of Minutes:* Motion to accept August minutes as written by Myers second by Sevey, Revision on Approval of Minutes motion...name correction, "Sevet" to Sevey. all Ayes, Carried.

*Approval of Agenda:* With no objections Agenda stands as written.

*Public Comment -Matters not the Subject of Public Hearing:*

- \*AJ Anielski – has filed complaints with the Township Zoning Administrator and Supervisor re: neighbor at the end private street, Serenity Valley, has not built- vacant land has motorcycle track, trailers, campers, parties w/400+ people; generator is running all night; Fire Dept. and Sheriff's have been called due to accidents and underage drinking/drugs but they cannot enforce. After 3 years, nothing has been permitted; Township needs to tighten ordinances/enforcement.

*Moore:* The Planning Commission cannot help much other than have the township's lawyer review, PC cannot enforce.

- \*\*Vicky Babcock: Can the motorcycle issue be addressed?

*Moore:* Yes, but nothing for back up; recourse is to consult lawyer. Why was land purchased? – need to declare use.

*Gross:* Obviously citations won't do, will end in court so need to proceed correctly; w/o principle use, track is an accessory use and can be enforced; situation is messy.

*Ellick:* Has been is similar situations - availability of follow-up not working.

- \*Anielski: Attempts to bribe continue; currently no Home Owner's Association in place - resident majority against it.

*Conclusion:* Ellen will discuss with Mark Van Allsburg and try for something more PC can do...very difficult to enforce.

**Agenda Item 1: Harmony Farms Condominium Home Owners Association (H.O.A.) – Brian Wheaton, Association President; Jim Sprouse, By-Laws Committee Chair.**

- Since the builder is no longer involved, the H.O.A has had to take over; asking Planning Commission for input on how to handle issues since they're "required" by the 2005 PC Resolution.

*Moore:* Questions she received by Jim Sprouse need to be addressed by entire Planning Commission:

1. Installation of left turn lane was never done
2. Sidewalks are 4' wide, not 5' as required.
3. Pumping of septic tanks every 2 years not implemented

*PC Discussion/Questions: (Moore)* What would you like the PC to do? *(Wheaton)* They've considered hiring an attorney and re-write their by-laws but wanted to ask if they can just change the master deed so all are happy. ??Left turn lane issue isn't necessary to complete. How can H.O.A. require/enforce septic pumping? *(Moore)* Suggestion to hire one company to pump all at the same time, get a receipt for confirmation. *(Gross)* Has addressed before, he could accept inspection by a septic company who determined the tanks were acceptable, then submit records to the township. *(Sprouse)* ??H.O.A. can levy charge for cost of pumping – can charge but cannot enforce. *(Gross)* Can charge if not in compliance with resolution. *(Sprouse)* Re: Sidewalks – 4' or 5' doesn't matter, homeowners install since developer is out however pre-built homes' sidewalks were installed by the builder. *(Tilburt)* Sidewalks only on one side of street? *(Moore)* Sidewalks not required on both sides of streets. She will consult township attorney to question if phrasing can be pulled from master deed, will try to have answer next month. *(Gross)* Suggested review of all changes needed so is done once; will need notice to residents, a meeting and subsequent vote. *(Moore)* Any approved changes may not be effective until 1 year later. \*Anielski: re: bypass for future? Doesn't builder invest monies? Can code violations be enforced? *(Wheaton)* Sable named him H.O.A. President without his knowledge, Sable is out of this now. *(Ellick)* This is regulated by the State, the township can't do anything.

(Tilburt) Suggests since township approves resolution – no occupancy should be issued until regulations met. (Wheaton/Sprouse) Prefer to just fix By-Laws; would like ideas for enforcement. (Tilburt) Rewriting H.O.A. rules can accomplish that.

Conclusion: Ellen will discuss with Mark Van Allsburg and advise; Jerry will re-read 2005 minutes and advise.

Unfinished Business: Sawade: Has some materials but has even more questions now so continuing to research; will email Cathy anything he wants forwarded to the PC.

Open Discussion for Issues not on the Agenda:

1. Correspondence received: Distributed are:

- \* Zoning Book Update
- \* Revised Site Plan from Hula Engineering for Great Lakes Landscape
- \* Revised Site Plan for Scott Dog Kennel
- \* SPU Application for Premier/Kooienga Phase III

2. Planning Commission Members:

Sevey: PC/Township may want to consider what it would require for any future recycling issues for windmills, or anything pertaining to other large steel items. Predicts the need for disposing in the next few years and we should keep this in mind.

Sawade: Re: Harmony Farms - Could require, "builder in good-standing," in wording? (Ellick) It's not about "standing;" can require more funds so more enforcement personnel can be hired; could make engineer requirements more strict. (Moore) How do they get occupancy if sidewalks are not 5'? (Ellick) Building inspections don't include sidewalks.

Report of Township Board Representative Gunnell: N/A

Report of Board of Appeals Representative Tilburt: N/A

Report of Planning Consultant Sevey: N/A

Report of Zoning Administrator Gross: Re: Premier (on West Street) still not in compliance and will end up in court; he'll address the citation wording/issuing with Mark; recently 9 cars for sale, allowance is 2; appears to be rebuilding cars; storage is way over capacity; drainage issues, and more. Re: Storage Time – they've put up screen, removed illegally parked on West end, East end still out of place, questioning gravel requirements; they're attempting but are slow to comply – will be given a deadline, 7/1/2020.

Moore called for anything further to discuss: N/A

Moore: Called for motion to adjourn: Motion by Myers, second by Sevey. All ayes – motion carried.

Adjourned: 8:23 PM

Next Scheduled Meeting: Wednesday, October 23, 2019



- Secretary

10-23-19

- Date

\*AJ Anielski – 1590 Serenity Valley

\*\*Vicky Babcock – 2711 18 Mile Rd.