

**PLANNING COMMISSION
FOREST HOME TOWNSHIP
MEETING MINUTES
MAY 3, 2023 @ 7:00 PM**

Members present: Paul Trumble, Doug Dewey, Linda Cran, and Tom Sheneman.
Absent: Scott Steiner.
Also, present Barb Carton and Stephen Barnard.

The Chairman called the meeting to order at 7:00 PM.

The Pledge of Allegiance to the U.S. flag.

AGENDA:

Moved by Sheneman, and seconded by Cran, that the commission approve the agenda as amended. Motion carried – all present voting yes.

PUBLIC COMMENT:

The Chairman requested public comment. There was no public comment. Public comment closed at 7:03 p.m.

ZONING ADMINISTRATOR – STEPHEN BARNARD Update:

Windward Shores-Condominium Units – 5812 SE Torch Lake Drive

- Casey Clement of the Health Department of Northwest Michigan as notified both the Township and Donald Uzarski that no final approval will be granted for any septic installations until the zoning conflict has been resolved.
- Cannot prohibit condominium projects as long as the project complies with zoning ordinance.
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Michigan Township Association – Annual Conference attended:

One topic of conversation was on the decisions of the townships: Zoning Decisions

James Wikman – 6032 SE Torch Lake Drive- Letter:

A letter dated November 21, 2022 from James & Milissa Wikman regarding his neighbors to the north constructed a fence separating properties. Reporting that the fence was constructed in direct violation of Section 313 of the FHT Zoning ordinance.

1. Section 3, point A., part 1: Request for a copy of permit if one was issued.
2. Section 3, point A., part 2: No fencing in excess of three (3) feet in height shall be located within a required front or waterfront yard area or within the clear view area as defined. The fence was originally built several years ago and roughly 8 feet in height all the way to the waterfront. After speaking with the Zoning Administrator, he reported that the owner had cut down the fence to less than 3 feet, for the first 50 feet from the waterfront.
3. Section 3, point A., part 3: Any fencing or wall with a single finished side shall be installed with the finished side facing the neighboring property or road right-of-way. Violation: Not only is his view blocked to the north, we have to look at the unfinished 2x4's, and electrical wiring/junction boxes.

Mr. Wikman sent a follow-up memo dated April 12, 2023, stating that he had expected to receive a response as requested in his November letter.

Discussion followed.

Linda Cran, Secretary of the FHT Planning Commission will compose a letter answering Mr. Wikman questions.

Attorney – FHT Zoning Ordinance Section 313:

- A 30 feet long fence is too long.
- Weaver fixed the height of his fence in October or November of 2022 and the fence height is no longer in violation.
- Ordinance requires that the finished side of a fence be facing the neighbors' property.

Option:

- Reverse fence, fence installed several years ago, and after fence reduced to 30 inches no longer a violation.
- Recommendation is that the commission continue to discuss the Zoning Ordinance and add Section 3 fencing language to review list.

Discussion followed.

Section 313 Fencing and Screening:

- Amend ordinance to define "FINISH"
- Amend ordinance to read both sides of wooden board fence be finished

Complaints Reported to Township:

The majority of complaints received are fence related.

Court Case: Polarmo/Miley FHT Cottage Drive Family Park update:

Polarmo has a deadline of June 1, 2023 to either appeal judges finding or removal trees.

EGLE/USACE: Keri Kent

Bubbler and permeant docks process and issues

JKS Bellaire, LLC-David Sibbold

E. Torch Lake Drive

Tax ID #05-07-485-049-00 and 05-07-485-048-00

EGLE/USACE: "Joint Permit Application"

Discussion followed.

Tip of the Mitt Watershed Council – Handouts:

Septic Regulation Success Stories in Northern Michigan and a Summary of the Septic Question: Opportunities for Septic System Regulation at the Local Level.

MINUTES:

Moved by Cran, and seconded by Dewey, that the commission approve the meeting minutes of April 5, 2023 as corrected. Motion carried as follows: Yes – Trumble, Dewey, Cran; No – None; Absent – Steiner; Abstained – Sheneman.

OLD BUSINESS:

Torch Lake Cellars: List of events received April 8, 2023.

Moved by Sheneman, and seconded by Cran, that the commission accept the Torch Lake Cellars current list of events for the 2023 as submitted. Motion carried – all present voting yes.

Discussion followed. Request food truck events list.

Short-term Rentals:

Monitoring and Compliance Software Samples:

Accela, GovOS, Granicus and localgov

Discussion followed. Continue to review.

NEW BUSINESS:

Cran seeking information on the Annual FHT pick-up schedule. Barnard reported that the Board has set the dates and the township will mail out postcards.

PUBLIC COMMENT:

The Chair requested public comment at 8:14 p.m. Barb Carton addressed the commission. Public comment closed at 8:28 p.m.

The meeting adjourned at 8:29 p.m.

Chair, Paul Trumble

Secretary, Linda Cran