

TOWNSHIP OF LINCOLN
CLARE COUNTY P.O. BOX 239
LAKE GEORGE, MI. 48633

Supervisor Ringley
Clerk Majewski
Treasurer West
Trustee Branam
Trustee Galloway

Lincoln Township Planning Commission

Regular Meeting - Tuesday, October 21, 2008 at 7:00 pm

Roll Call :

Present – Chair Bergey, Vice Chair Lewis, Liaison Galloway, Secretary Chapman,
Recording Secretary House, Zoning Administrator Lambert, Building Inspector
Mantei, Township Attorney Dreyer

Absent – White

Public – 9

Approval of Minutes:

Regular Meeting, September 16, 2008 – It was moved by Lewis and seconded by Galloway to accept the minutes as read. Motion Passed.

Approval of Agenda:

Accepted as presented.

Zoning Administrator's Report:

(See Attachment 1) The property at 4801 Old State was recently sold to Anthony & Cindy Archer residing in Corrito, Ca. The property was previously owned by Mike and Deana Kosakoski. There is a non-conforming cabin on the property for which a variance was sought in 2005. The variance was denied because the cabin is too small and has no facilities. A follow up letter was sent on October 15, 2008 informing the new owners that this unit can not be used for living quarters.

Building Inspector's Report:

(See Attachment 2) No information was available on the two trailer demolitions. No letters have been sent yet.

Correspondence:

1. Summerfield Township published in the paper that they are putting into place an ordinance concerning accessory buildings and the Planning Commission may be able to use some of it.
2. A letter was read from Attorney Dreyer about splitting parcels. The recent purchase of property by Lincoln Township cannot be split.
3. Bergey shared information from the Township Law E-Letter concerning DNR authority on boat launches and docks.

New Business:

1. Attorney Dreyer presented the most recent engineering plan for the Howell/ McCarty drainage problem. A representative of Mid-Michigan Engineering explained the plan in

some detail. Chair Bergey opened the meeting for public comment.

- Q. The Howells expressed concern about the space between the house and the drain field. They stated that several items are not placed accurately on the drawing. Trees are really 4' off the drain not 7'. They feel that there are differences of fall from what is shown on the plan. They stated that they prefer that the swale hole go all the way down to the property line. They also felt that the leach basin, down at the water line, may always be under water.
- A. The Mid-Michigan Engineering rep stated that there are no leach basins. The note was left on the drawing by mistake.
- Q. Mr. McCarty's lawyer presented his concerns for the plan.
- A. Attorney Dreyer explained that the reason the plan included so much more brick is to address the wash of water coming down the road.
- Q. Howell stated that she is concerned that if they start digging down 1 foot near the drain field it will compromise the field because the field was placed at a minimum depth.
- A. Attorney Dreyer assured them that the Health Department has been consulted. Mid-Michigan Engineering will go out with the Health Department to look at the situation again. A berm may be necessary, instead of a wall, back by the drain field.
- Q. Galloway suggested that just one wall might be used on the side of Lot 15 right on the lot line.

Moved by Bergey and seconded by Chapman that the engineering plan #0611397 revised on 10-10-08 be accepted with the following changes;

- a. the 6" ease trough drains should drain on the front of the property toward the lake and on the back of the property be incorporated into the swale,
- b. the plan will look at something to diffuse the water flow into the swale,
- c. it will all be built on the McCarty side up to 1' from the property line,
- d. Mid-Michigan Engineering will state the number of blocks needed for height,
- e. the south retaining wall by the property line will extend to the lakeside property line,
- f. the back northern retaining wall will be removed up to somewhere near the back of the house and the plan will insure that the south retaining wall is sufficient to hold back the water
- g. the grade of the swale is set to drain down to the lake,
- h. the plan will grant flexibility to Mid-Michigan Engineering to make changes that may come up with the Health Department and Soil Erosion,
- i. the inspection will be made by Monday, October 27 to see what adjustments need to be made,
- j. there are no leach basins on the drawings,
- k. sod will be in the bottom of the swale,
- l. and the plans will be revised to show these adjustments.

Yes (4) No (0) Motion Passed.

2. Collier/Kutis have proposed breaking up 76.5 acres on Hemlock Road into 7 parcels all of which are greater than 10 acres with an easement to prevent the properties from being land locked. They are asking the Planning Commission to determine if this proposal meets local ordinances? Chair Bergey stated that it is a legal split because of the size of the lots and they are building in an easement. One lot does not meet the requirements but the average does. Kim Smith requested that the Commission explain to Collier/Kutis the process that they will still have to go through. Moved by Galloway seconded by Chapman to send a letter to Ray Goeman, Lincoln Township Assessor stating that the proposal meets local ordinances but that they will still need to meet the requirements of Public Act #288 of 1967. Yes (4) No (0) Motion Passed.

Old Business:

1. Discussed the Amendments to the Lincoln Township, Clare County Zoning Ordinance of March 14, 2003. Addition of the words (Section 1502 Accessory Buildings, Paragraph 2) “ porches, decks, and overhangs including the accessory buildings are less than two hundred (200) square feet in total. None of these porches, decks, or overhangs can ever be enclosed”. (Paragraph 7, Item a) “All porches, decks, and overhangs including the accessory building must be less than two hundred (200) square feet and meet all setback requirements. None of these porches, decks or overhangs can ever be enclosed”. Moved by Chapman and seconded by Galloway to make the changes as presented, that these changes be brought to a public hearing with future changes, and that they be sent to the Township Board. Yes (4) No (0) Motion Passed.
2. Reviewed the research worksheet. Minimum lot size for commercial property was presented by Bergey. Minimums for the Townships he reviewed was always 30,000 square feet. Galloway suggested leaving it as it is and let any future business apply for a variance to build on a non-conforming lot. Lambert stated that a residence could be built there. It is a buildable lot. Bergey moved and Galloway seconded to keep the minimum lot size that is currently in the ordinances. Yes (3) No (1) Motion Passed. Bergey will write the letter to the Township Board. Lewis presented a new proposal for exterior lighting for consideration of the Commission. Lewis asked for any changes by November 1.

Public Comment:

- Q. Carey stated that the new ordinance on lakeside accessory building interferes with buffer zones.
- Q. The 30,000 square foot ordinance is good because it still needs to meet all of the other Requirements.

The next regular meeting will be November 18, 2008 at 7:00 pm.

Moved by Lewis and seconded by Chapman to adjourn the meeting at 8:48 pm. Motion Passed.

Secretary,
Ron Chapman
Ron Chapman

Attachment 1 – Zoning Administrator’s Report

September 17 to October 21, 2008

Approved Zoning Applications:

1. Dan Gurney at 1284 Hillcrest for a new home construction with attached garage
2. Yoder Builders at 2106 Elk Horn Way for a 28x34 garage and an 8x14 house addition
3. Tonia Hershner at 1775 Bungo Trail for an 8x12 deck and an 8x16 deck
4. Yoder Builders at 2215 Elk Horn Way for a 14x26.6 addition
5. Austin Wood at 4141 Mockingbird Circle for a 12x24 carport
6. Sally Keillor at 2215 Elk Horn Way for a 144 square foot addition to an accessory building
7. Velma Spence at 342 Lincoln for 2 sheds and an 8x10 deck

Un-approved Zoning Applications:

1. William Cummins at 1035 Forest Avenue for a 10x12 shed placed in a front yard setback

Ordinance Complaints:

Lake, Boat, and Dock Ordinance

- A. Joan Taylor at 381 Arbor Drive, turned over to Attorney
- B. Terry Tanner of Wigwah Sub-Division, turned over to Attorney
- C. Robert and Suzette Bourdon at 1718 Forest, resolved, brought into compliance with the variance

Side Lot Violation

- A. Ramiro Garcia at 1727 Arbor Drive, deck addition in violation of side back setback

Blight Ordinance

- A. Donald Bacon at 2770 South Finley Lake Road, Pre-Trail set for November 19, 2008 at 9:30 am

Attachment 2 – Building Inspector’s Report

Building Permits:

1. Ryan Racine at 5156 Beechwood Court in White Birch for a garage
2. Fred Evenson at 638 Shingle Lake for a pole barn
3. Dale Sprague at 382 West for a pole barn
4. Larry Burns at 5752 Maple in White Birch for decks
5. Matthew Gunn at 1586 Lake for a pole barn
6. Ami Woodworth at 2012 Forest for a foundation
7. Pioneer Pole Buildings at 1836 Arbor for a pole barn
8. Thomas Woods at 1998 Bungo Trail for decks
9. Yoder Builders at 2106 Elkhorn of White Birch for a garage
10. William Patrick at 1284 Hillcrest for a new built home
11. Sally McQueen at 1208 Arbor for an addition

Inspections:

- 8/22 Fred Evenson at 638 Shingle Lake - footing
8/25 Ryan Racine at 5156 Beechwood in White Birch - final
9/4 Sally McQueen at 1208 Arbor – footing
9/6 Larry Burns at 5752 Maple in White Birch – footing
9/18 Pioneer Pole Bams at 1836 Arbor – footing
9/21 Ami Woodworth at 2012 Forest – footing
9/23 Matthew Gunn at 1566 Lake – footing
9/25 Dale Sprague at 382 West – final
9/28 William Patrick at 1284 Hillcrest – footing
9/29 Thomas Woods at 1998 Bungo Trail – deck inspection