

Pine Grove Township

Planning Commission

Regular Meeting

26520 CR 388, Gobles, MI 49055

August 18, 2021 6:00 p.m.

1. **Call to Order:** Meeting called to order at 6:02 p.m. by Chairperson Kehoe
2. **Roll Call: Present:** Kehoe, Hill, Marculis, D., Richardson, Yapple, Marculis, K. **Absent:** Brown
Other Present: Attorney Kaufman, Zoning Administrator Bear Priest, Consultant Rebecca Harvey
Randy and Betty King, Kathy Garrett
3. **Approval of Agenda:** *Motion made by Kehoe, supported by Richardson., to approve the Agenda for August 18, 2021 with the addition of Item #3 under New Business, Review of SLU Permit. All yes, motion carried.*
4. **Approval of Minutes:** *Motion made by Yapple, supported by Hill, to approve the Minutes of the Meeting for July 12, 2021. All yes, motion carried.*
5. **Public Comment on Non-Agenda Items:** Richardson stated that he received a phone call from Clerk Meert at approx. 10 p.m. on 8-17 that Supervisor Don Smith will not be available until further notice.
6. **New Business:**
 1. **Animal Ordinances 8.12 and 9.8** – Richardson stated that he had a resident, Kathy Garrett, come to his house to complain about the barking and odors coming from the kennel owned by Randy and Betty King at 27100 CR 388. Kathy stated that the dogs start barking at 4:30 in the morning. Kathy Garrett stated that she had a 3-day garage sale last weekend and the dogs barked non-stop all three days. Kathy Garrett also stated that the smell from the kennel is putrid and that they throw the dog feces over the fence and also burn it. Richardson stated that he wanted to know how to proceed with this complaint. Randy King stated that his kennel was approved in 1993 and that he has the paperwork from the County and Sheriff's Office, that the kennel is inspected twice a year and that he does not burn the dog waste, that it is raked and bagged and disposed of through his garbage service. Betty King agreed. Consultant Rebecca Harvey stated that since the kennel was approved prior to the 2019 Zoning Ordinance, that it is probably a Lawful Non-Conforming Use, so the 2019 ZO standards do not have to be met. Attorney Kaufman agreed. Randy King stated that the Van Buren Animal Control Officer came to his house regarding the barking dogs and he stated that dogs can bark, but what is excessive barking. Randy King stated that he has a coon hound and a blood hound outside at this time and they bark at everything they see and hear, that is what they are bred to do. Attorney Kaufman stated that it needs to be determined if Pine Grove has a Noise/Nuisance Ordinance. This is not a Zoning Ordinance issue, rather a Township Ordinance issue. Attorney Kaufman also stated that someone needs to contact the County to determine if the kennel was approved through proper channels and go from there.
 2. **Semi-Trailer Storage Units:** Richardson stated that he has had complaints of a resident on CR 390 that has several semi-trailer containers with no wheels. Bear Priest stated that when complaints of this type come in, contact Bear Priest or Tim Smith, OEO and they will go to the residence and check it out. Accessory buildings still have to meet zoning requirements, setbacks, etc.
 3. **Review of SLU Permit for Chad Drobny/ATT Cell Tower on CR 388:** Kehoe stated that when the cell tower was approved on CR 388 on Feb. 11, 2019, the minutes of meeting state that some of the special conditions include green or black fencing and a landscaping plan. It has been about two years and neither of these items have been completed. Bear Priest stated that the original applicant is no longer involved with this tower, however, AT&T collocates on this tower and he has been in touch with them. Bear Priest stated that he believes that they are going to change the fencing, but he has not heard anything about the landscaping. Bear Priest stated that the driveway to the tower is not being maintain as required by the Special Lane Use Permit. Attorney Kaufman stated that she would prepare a letter to send to the original applicants and leasers advising them that they would have so many days to correct the SLU violations or a public hearing will be set

to revoke the Special Land Use permit. Attorney Kaufman suggested that on these types of big project that an annual review by the Planning Commission is made mandatory to make sure these types of special conditions get met. Sec. Marculis will get the file pertaining to the SLU Application copied to ZO Bear Priest and Attorney Kaufman.

7. Public Comment on Agenda Items: None

8. Old Business:

- 1. Short Term Rentals:** Kehoe stated that the PC and the Board has had short term rentals on their agendas many times with no resolution. Kehoe stated that while everyone is here tonight, Zoning Administrator Bear Priest, Attorney Kaufman and Consultant Harvey, a decision will be made to present to the board. After a lengthy discussion, the Planning Commission made the decision to recommend to the board that the Planning Commission prepare some text amendments in the Zoning Ordinance so that rentals under 30 days in single family residence is not a violation of the zoning ordinance and hold a public hearing on the text amendments. **Motion made by Kehoe, supported by Richardson, that the Planning Commission make a recommendation to the Township Board that the Zoning Ordinance be amended to clearly allow short term rentals. All yes, motion carried.** If the board accepts the recommendations, Consultant Harvey will work on the ZO text revisions and have them available for the September 20th meeting and set the Public Hearing for the October 18th meeting.

9. Commission Comments: None

- 10. Adjournment: Motion made by D. Marculis, supported by Hill, to adjourn. All yes, motion passed.**

Adjourned at 8:28 p.m.

**Next Meeting(s): For 2021: September 20 October 18 November 15
All meetings: 6:00 pm December 20**

Respectfully,

Deborah Marculis

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Secretary, Pine Grove Twp. Planning Commission