

## Bear Creek Township Planning Commission Meeting June 29, 2022

**I. Called to order:** 6:30p.m.

**II. Roll Call:** Kargol, Brown, Haven, Cyphert, Radatovich, Gunderson

a. Absent: Mays

b. Staff in Attendance: Hillary Taylor

**III. Pledge of Allegiance**

**IV. Approval of Minutes**

**Motion** by Cyphert to approve the minutes of the May 25, 2022 meeting. 2<sup>nd</sup> by Kargol.

**Passed**

**V. Case PSUP22-08 Traven Michaels, SPECIAL USE PERMIT- Home Occupation- one camp site, 2592 Bellmer Rd**

This case was withdrawn by the applicant.

**VI. Case PSUP22-015 Henry LeGrand, SPECIAL USE PERMIT- Accessory Building Exception, 3759 Pickerel Lake Rd, Bear Creek Township**

Hillary Taylor gave a background to this case:

Taylor explained that this is a special use permit application for an accessory use building exception. The location is on Pickerel Lake Rd just past the intersection with 31. There is an existing house and detached garage on the property. The house being detached from the garage is why they need an exception. Taylor showed pictures of the existing house and garage. The proposed structure is a 30x40 pole barn and it would comply with the setbacks in the R-1 zoning district. Height standards would be met. Taylor noted that in a motion, there should be a condition that an affidavit of use be filed. The fire department has no concerns. The property is 1.19 acres. Taylor shared the proposed site plan.

The applicant addressed the Planning Commission in regards to this case:

Henry LeGrand is present an open to any questions. He is willing to sign the affidavit for personal use.

*Gunderson entered at 6:36pm*

Brown asked where the new driveway would be located. LeGrand noted that the road commission indicated to him that he could use his existing driveway. He can get something in writing from the road commission if needed.

Kargol asked about the height of the sidewalls. LeGrand noted they are 10ft.

Cyphert asked if there will be electricity within the pole barn. LeGrand noted that the contractors will pull the permits for that.

Audience Comments: None

Additional Board Discussion: None

**Motion** by Cyphert to approve Case PSUP22-015, Henry LeGrand for a Special Use Permit for a second accessory structure on property located at 3759 Pickerel Lake Rd., Section 26, Bear Creek Township, tax parcel 24-01-16-26-300-043, as shown on the site plan dated received June 8, 2022 because no good purpose would be served by strict compliance with the provisions of Section 22.01 and on condition that an affidavit of use be filed stating that this would not be used for commercial purposes, and to acquire a statement from the road commission that a new driveway is not needed. 2<sup>nd</sup> by Haven.

**Roll Call:** Cyphert, Kargol, Haven, Gunderson, Brown, Radatovich

Yes: Cyphert, Kargol, Haven, Gunderson, Brown, Radatovich

Absent: Mays

**Passed**

**VII. Public Comments:** None

**VIII. Other Business:**

Joint Planning Commission training- MSU- City of Petoskey/Emmet County/Bear Creek Township- August 11, 2022

Radatovich asked if we had a time/location for this training. Taylor noted that there is no set time yet. MSU extension is hosting a joint training opportunity on how to run a meeting and procedural trainings, such as how to interact with staff and audience.

Site Plan(s) approved administratively

Taylor noted that there were none this month.

Domestic Farm standards- discussion

Taylor shared that an email came in from James Vernor on April 26<sup>th</sup> about the Michigan Right to Farm Act. She shared some information about how it works and the current definitions that we have in our zoning ordinance. Essentially, Mr. Vernor is asking that we reduce the size for a domestic farm to below 2 acres. This would be within residential districts. This proposal is up for discussion.

Haven would like to hear the history of how 2 acres was set as the limit originally.

Kargol asked if this is just for Bear Creek specifically. Wouldn't this affect everyone because it is through the Michigan Right to Farm Act? Taylor noted that there are domestic farm standards in residential and in farm forest, but both require at least two acres. If something like this was proposed, it would go through the county planning commission and would go into place in the townships that have county zoning. In regards to townships that do not have county zoning, where the restrictions may be higher, the Michigan Right to Farm Act supersedes local authority. Taylor shared that the county is working with a legal consultant to bring the zoning ordinance into compliance. If this issue were to be pursued, it would go to the townships who have county zoning for comment.

#### Other Comments

Radatovich noted that the screening on the Daniels' property looks good.

**IX. Next Meeting:** July 27, 2022

**X. Adjournment:** 6:54p.m.

Respectfully Submitted,

*Emma Radatovich*

Emma Radatovich, Bear Creek Township Clerk

Jim Kargol, Recording Secretary