

Alganssee Township Planning Commission Minutes
February 26, 2018

1. On Monday, February 26, 2018 at 7:30 pm Chairman Rodney Carpenter called the regular meeting of the Alganssee Township Planning Commission to order at the Alganssee Township Hall, 378 South Ray-Quincy Rd., Quincy, MI. Members present: Chairman Rodney Carpenter, Vice Chairman Glenn Preston, Secretary Pricilla Dodd, Rick Coon, and Township Representative John Shilling.

Visitors: Greg Parker and Mr. & Mrs. Scott Ponstein of Grand Rapids.

2. Minutes:

Glenn Preston moved to accept the January 29, 2018 minutes; supported by Rick Coon with the following correction: page 1 line 43 should read requesting 11.46 acre split and combination with 008-400-010-01 (898 E. Central, Tim & and not requesting 11.46 acre split and combination with 008-400-010-01 (898 Ed. Central, Tim & Motion carried

3. Agenda:

John Shilling moved to accept the agenda; supported by Rick Coon. Motion carried.

4. Old Business:

Correspondence with Chris Khorey regarding shared driveways: Chairman Rodney Carpenter called Chris Khorey, Principal Planner from McKenna asking for a clarification on the reason for a maximum 1,000 ft. for a shared driveway as worded in the Zoning Ordinance. Also, does the Planning Commission have the authority to vary that number without changing the Zoning Ordinance.

Rodney Carpenter reported that Mr. Khorey told him that the Planning Commission cannot make a change from the ordinance. The applicants would need to apply for a variance through the Zoning Board of Appeals to increase the length of a shared drive. Mr. Khorey sent his verbal response in an email, which is attached.

The drive in the center of this discussion has been in exists since 1990 and there is one (1) home with a family living in it and what is referred to as a hunting cabin that has never been lived in.

Rick Coon pointed out that there seemed to be a contradiction with what Mr. Khorey wrote and item 14.09 J in the Zoning Book. Russ Jennings, Township Supervisor, stated that he had the same concern.

*14.09 J - - **Modification of These Standards.** At the discretion of the Planning Commission, the standards of this article may be modified. The Planning Commission shall determine that alternative design or construction materials will provide a driveway of equal or superior quality. Further, the Planning Commission shall have the authority to modify the review requirements in order to assure that the requirements of the Township are considered in an appropriate forum and with the necessary level of professional expertise.*

Russ Jennings, Township Supervisor, stated that he would call Mr. Khorey to get a clarification on the intent of 14.09 J and report the response back to the Planning Commission at the March 26, 2018 meeting.

January 29, 2018 Tabled Special Use Permit for James and Marion Miller, 121 Wildwing Lane, Quincy, MI 49082 was not un-tabled due to the need to clarify the shared driveway question with the planner.

5. Report from Township Representative, John Shilling:

John Shilling reported that the Township Board approved a 2 year moratorium on Solar Panels for the Township.

6. Report from Zoning Administrator, Matt Ashenfelter:

Zoning Administrator, Matt Ashenfelter, reported for February, 2018.

February, 2018

1. Zoning Permit 919 – Kaiser, Dennis; 224 Bickford; Parcel Code 810-000-014-00; R1; 28 x 40 double wide on slab; 02/06/18; \$40
2. Zoning Permit 920 – Muir, Philip; 122 Loch Haven Ln.; Parcel Code 005-200-005-01; AG; 32 x 42 Pole Barn; 02/23/18; \$40

Land Splits:

1. Miller, James & Marian; 121 Wildwing Lane; Parcel Code 005-200-005-03; AG/R2/R1; 36 acre parcel requesting 2 splits (5 acres and 2.43 acres) w/a shared driveway; \$120 (Tabled 01/29/18 continued by Planning Commission)
2. Waligora, Dale; E. Central Rd.; Parcel Code 008-400-010-97; AG; 44.12 acre parcel requesting 11.46 acre split and combination with 008-400-010-01 (898 Ed. Central, Tim & Kimberly Miller). Special Use hearing required – In process.

Zoning Violations:

1. Pish, Gerl; 1288 Fisher Rd.; 001-400-025-01; AG; February 20, 2018 Court Hearing resulted in a decision for a Trial with the date to be determined (60 to 90 days)

Algansee Township Zoning Permits are scanned and forwarded to the Branch County Building Dept. twice a month.

7. Report from Zoning Board of Appeals, Rick Coon:

Rick Coon reported that they did not meet.

8. New Business:

None

9. Public Comments:

Russ Jennings, Township Supervisor, reported that the Township put a two (2) year moratorium on Commercial and Residential Solar Panels and Wind Energy. We need to look at the Zoning Ordinance because this needs to be added. It might mean having a special meeting for this purpose.

He also reported that the Fire Department still hasn't received a report from the consultant that was hired to evaluate the needs of the Department in the next 10 years.

Rick Coon moved to adjourn supported by John Shilling. Motion carried. Next meeting date will be Monday, March 26, 2018, at the Alganssee Township Hall starting at 7:30 pm. Meeting was adjourned at 8:25 pm.

Pricilla Dodd
Secretary

Attached:

Email from Chris Khorey, Planner, McKenna, February 23, 2018
Regarding shared driveways.



Memorandum

To: Alganssee Township
Date: February 23, 2018
From: Christopher Khorey, AICP, Principal Planner
Subject: Shared Driveways

As requested, below are the reasons, in my opinion, that the Zoning Ordinance requires shared driveways to be limited to 1,000 feet in length (Section 14.09.D).

1,000 foot limits for shared driveways, or similar rules for cul-de-sacs and private roads, are put in place for the following reasons

Emergency Protection

Fire departments and other emergency service providers worry about long driveways or private roads, because they can make it hard to reach people or buildings in the event of an emergency. This is especially true because shared driveways and private roads have lower standards for width and construction design than other types of roadways, making them more likely to become blocked or impassable. Large emergency vehicles, such as fire trucks or ambulances, may have trouble navigating shared driveways. Therefore, service providers generally advocate for them to be restricted in length.

Maintenance

Maintenance agreements for shared driveways are required by Section 14.09.I. They are extremely important to ensure that the driveway is properly maintained for all adjacent property owners. However, in practice, maintenance of shared driveways is difficult. People disagree on what to repair, when, and at what cost. Sometimes property owners buy adjacent to a shared driveway without realizing they are responsible for a portion of the upkeep cost. These problems can be mitigated, of course, and the agreements help, but the longer a driveway is, the more expensive it will be to maintain, especially because Section 14.09.D limits the number of parcels that can access a single shared driveway to four.

Farmland Protection

Farmland protection is an important issue in Alganssee, in order to preserve the Township's beautiful rural character and agricultural economy. Long driveways allow property owners to build homes well off the main road, which appeals to people for obvious reasons, but also renders more land unsuitable for agriculture. Shorter driveway requirements mean homes are built closer to roads, allowing more contiguous unbuilt land that can be farmed or left in a natural state.

Finally, because the 1,000 foot rule is explicitly written in the Zoning Ordinance, it is my opinion that an applicant seeking a longer road should apply for a variance. The special use process for a shared driveway described in Section 14.09.K does not state that the Planning Commission or Township Board can vary the standards of Section 14.09.

Please do not hesitate to contact me with any questions.