

VILLAGE OF NORTHPORT  
PLANNING COMMISSION  
116 W. Nagonaba St.  
Friday May 20th, 2022  
Draft MINUTES

**Call to Order, Roll Call**

Chair Arbury called the meeting to order at 9:12 a.m.

**Members present:** Arbury, Cavendish, Newell, Gale, Woomer, and Wessell. Absent: Caudill

**Public Present**

No public present

**Staff Present**

Recording Secretary-Sarah Murphy, Zoning Administrator- Joni Scott

**Approval of Minutes**

Tuesday April 26th, 2022, meeting minutes were approved as amended, **moved by** Commissioner Woomer **supported by** Commissioner Newell, **motion carried**

**Approval of Agenda**

Addition or corrections to May 20th, 2022, agenda: Commissioner Cavendish will email proposed questionnaire for 7<sup>th</sup> data to Chair Arbury. Final draft to be at next work session. ZA Scott confirmed that the walk through at 7<sup>th</sup> street will take place Tuesday May 24<sup>th</sup> at 9 am with DPW Chris Holton. Reminder that all questions need to be directed through ZA Scott or DPW Chris Holton, no discussion is allowed among Commissioners in attendance. Public is encouraged to join the Planning Commission for walk through.

Recording Secretary asked for plan on recording questions. ZA Scott and Chair Arbury suggested to write up questions and give a summary of topics to be included in the minutes for the June 15<sup>th</sup> regular Planning Commission meeting.

**Correspondence**

**Public Comment**

None

## **New Business:**

Chair Arbury-created a list by page number and topic to review tabled items from meeting with Arthur Mullin. Purpose is to go through item by item and try and capture any corrected language for the zoning ordinance. As Commission goes through the list any areas that need to be addressed but weren't captured will be looked at sequentially. Pending time frame the remaining articles will be discussed and questions or comments will be gathered at that time. Once everything has been addressed plan on how to move forward will be discussed with the Planning Commission. Then looking at charts, parking requirements, land use chart, and last step would be questions/concerns not reviewed by Arthur Mullin.

ZA-Scott and Commissioner Cavendish stated that Arthur Mullin were going to speak on the Accessory Dwelling Units (ADUs). At this time, it is recommended that we table topics that directly deal ADUs.

**PG 5.** Accessory Dwelling Unit-hold This will come up in multiple sections as it impacts across all zones

Commissioner Gale-Remain consistent with language starting with the definition section and use Accessory Dwelling Units. All in agreement to maintain language as Accessory Dwelling Unit and abbreviate as ADUs

**PG 8** Driveway-Contact Chris Holton regarding more permeable surfaces. Discussion about aprons needed, i.e., plows, curves, commercial business etc. Also, would like to hear recommendations from County Road Commission. Keeping definition only language. Applies to all zones. Good on language as is per Chair Arbury

ZA Scott has requested language on making both private and commercial roads.

**PG 11** Lot lines-Waters edge-waiting for language on from Arthur Mullin-Michigan Zoning Enabling Act language. Discussion about ensued about lot lines and fronting home/build

#2 Change language to **requested by property owner and to be approved by ZA** to allow for appeal process

#3 To be completed by Mullin pertaining to water's edge

**PG 12/13**- Practical Difficulty-definition to be done by Mullin and language to be taken from Michigan Zoning Enabling Act

**PG 17**-Undeveloped State-Implication on 7<sup>th</sup> street and Mullin to also use language from Michigan Zoning Enabling Act.

Sign Ordinance-Commissioner Gale-the Village Council is looking at keeping the ordinance with them and taking it from the Planning Commission.

Per ZA Scott- try to stay in accordance with State laws and investigate what the Township has done because signage is like a “moving target”

Discussion goes on into enforcing ordinances and easier to change with the Council than with the Planning Commission.

Pass on sign ordinance because Village Council is looking at this

Commissioner Woomeer-recommends **changing from highway to roadway** because it is all encompassing.

**PG 19** Basement Dwelling-ADU -put on hold

**PG 20** Dwelling Units-current language address minimum width 17. International Code started with tiny home of 400 to 1000, if you can meet the requirements of sleeping unit, kitchen, bathroom etc. This pertains to stand alone structures and across all zones.

Discussion about tiny home vs single wide. What can be allowed in the Village vs what does the village want to see. Aesthetics vs need or demand. Differencing ideas/opinions on allowing single wide homes. Defined as use by right. Affordable housing issues. Difficulty just designating to certain district with minimum requirements.

Suggestion to go through site plan review and it would fall under Article 18.

Need to research about how other villages have decided on Tiny homes and Single Wide Home use.

Table this issue and holding off until ADU conversation and research

**PG 21** Home Occupations-at discretion and leave language in until Arthur Mullin provides language.

3.08 #10 Mobile homes- still comes back to size and dimensions. Again, comes down to minimum size. 17 x 24 was to eliminate single wide. What is going to be accomplished by setting minimums.

Discussion continued reflecting living requirements, minimum size, and hooking up to sewer and water.

3.10 Discussion on primary dwellings vs accessory dwellings and height max. Currently ordinance allows accessory structures to be higher than primary dwellings.

Change language to included... **Height limitations on primary structures/dwellings only**

**PG 21-** Home Occupations- no discussion

**PG 22-**Northport Creek and Wetlands setbacks

Discussion about wetlands and impact of setbacks on new builds. Regulations pertaining to DEQ, flood plains, wetlands etc.

3.25-Initial 50, recommendation came from Mullin for 75ft for wetlands. Suggestion by Commissioner Cavendish to print out maps that show wetlands and how the 50ft vs 75ft would impact building and setbacks.

Commissioner Woomer-recommends that we keep the deck size to 200ft and not reduce the size of a deck near a wetland. Keep deck size near wetlands at 200

**PG 23** Discussion about smoke pertaining to residential vs commercial. Reminder that these apply across all the zones. Commissioner Gale suggested about moving smoke to nuisance ordinance. Commissioner Cavendish explained the difference in enforcement between Village Council vs a Zoning Ordinance

**PG 24** Noise-language regarding decibels and looking how it cross into each zone. Suggested to move to Village Council as it is easier to amended than if it remains with the Planning Commission.

Multiple discussions and examples on how this could impact local businesses and residents. Commissioner Cavendish recommends changing from adjacent use to adjacent zoning.

Holding on the nuisance ordinance and repeal 3.19 once Nuisance Ordinance adopted by Village Council

**PG 24** 3.20 Principal Use-no change

**PG 28** Solar/green energy 3.27 only allow solar roof tops. Discussion about size and allotment solar panels. Need Joe/Arthur for real time feedback. Concerns about noise and feedback.

**PG 31** Solid Waste Enclosure-Does not need to be masonry only

Need language from Arthur Mullin

3.33 Need to define Temporary structure and temporary staging-ZA Scott too investigate definitions.

3.29-Storage of trailers, boats, RVs etc to be stored on the side/rear of lot

Discussion about length of storage, define where storage is with water edge, and quantity of what is stored. Discussion on when this infringes with a resident's property rights. Suggestions for X% for storage on your lot and can vary due to size. Look into Township regulations, other Villages like Elk Rapids or Suttons Bay and their storage rules. Reminding that it must be something the Village plans to enforce. Needs further discussion per Chair Arbury.

3.32 Needs clarification

Discussion lead into complaints, complaint forms, and how these are handled and defining what the expectations for ZA

#### **Article 4**

**PG 36- Landscape and Buffering-** 4.02 Do we need a registered landscape architect, change that a plan to be submitted for all landscape plans. Adequacy of all submitted landscape plans will be determined by the current ZA.

DPW-Street Trees- define the responsibility and how tree is chosen.

Strike # 3 and move to the Village Council-in relation to current Tree Committee

Open space planning

1 is Intent and Purpose

2 Landscape Plan

Change 4 to 2A-Open space plan -prohibited invasive vegetation

Change 5 to 2B-Identify prohibited trees

3A- Keeping maximum fence height to 7 ft residential

3B-commercial/industrial, and institutional height no greater than 10ft

4 change- not exceed 80%

Strike Giii eliminate

Continue with no barbed wire, chain link, or electric on property lines, keep it. All fences need have a building license/permit

A concrete anchor post shall be located at fence end post and corners.

Commissioner Newell **motioned to end meeting**

Commissioner Wessell **seconded the motion**

**Motioned:** Carried

Meeting adjourned at 12:12 pm

Next Regular Planning Commission Meeting will be June 15<sup>th</sup>, 2022 at 6pm.

7<sup>th</sup> street site walk through May 24<sup>th</sup> at 9 am

Next Work Session to be on May 27<sup>th</sup>, 2022 at 9 am til 11 am