

Port Sheldon Township Planning Commission
March 22, 2017

Van Malsen called the meeting to order at 6:04 p.m.

PRESENT: DeLeeuw, Monhollon, Petroelje, Stump, Timmer, Van Ginhoven, Van Malsen

STAFF: Davis, Moore

Motion by Van Ginhoven to approve the minutes of the February 22, 2017 meeting, supported by Timmer and carried.

NEW BUSINESS:

1. Application from Lisa Gavranovic, agent for Sandy Point Beach House, for Site Plan Review to add outdoor bar space, merchandise container and ice cream truck at 7175 Lakeshore, parcels 70-11-16-499-002 and 70-11-21-200-033. Moore summarized the request and changes they are asking for: to move the merchandise container to inside the fenced-in waiting area, a new container by the bar area, an area for an ice cream truck, a new light pole, and a container resting area behind the bar containers. Moore reviewed the last approved site plan. Moore noted that the applicant previously requested to rezone an adjacent parcel and use an existing dwelling for an ice cream shop; there was public opposition to that proposal due to concerns about parking, how busy it is in the summer and adding another use to the site and the applicant withdrew his request. Moore stated the uses are generally acceptable. Van Malsen asked Davis if SPBH has complied with the conditions of the last Site Plan Approval. Davis indicated that most of them have been, he received sealed drawings from an engineer on how the containers are being held down, but added that he should have more of architect/building code type of info. Moore noted that if the building code is met and Davis is comfortable with what is proposed we can accept it. Discussion about how the containers are attached to base, and how the two stacked on each other are attached. Davis said he felt that the conditions had been met.

SPBH owner Peter Krupp introduced new general manager Les Bigby. Krupp said they installed tie downs good for 90 mph wind shear. The “container resting area” is a spot where the bar container could be moved to if they want and not have to return to the commission for a site plan change. They also want another bar container for seating, having a “U” shape bar rather than the tall stack they have now. Krupp said he probably won’t need to use the container resting area so if the Commission does not approve that with he is okay with that. The ice cream truck will be parked at SPBH all summer, it may go out to farmers markets etc. and there will be picnic tables by it. Ice cream has been sold from a restaurant window and now will be from an ice cream truck. He thinks parking will be ok with the over flow area and a few more spaces can be created in the overflow lot. Krupp said they want to move the merchandise container to increase sales, closer to where people are eating. It also will be safer to not have the container in the parking lot. Krupp indicated they will monitor the ice cream truck and see how it goes. Commissioners discussed parking on the site. Krupp said they had two parking lot attendants directing people on busy days last year to maximize available parking and they will do that again this year. Moore said the Commission can request SPBH return next fall and let commission know how these changes went. Moore also informed commissioners that previous conditions imposed on the applicant’s site plan approval will still apply, as this is an amendment, not a replacement. **Motion by Van Ginhoven to approve the SPBH Site Plan amendment with the condition they return for review in October 2017 and that all previous conditions are still in place, supported by DeLeeuw and carried.**

2. Application from Scott Allen for Special Use to operate an online firearms sales business at 15832 Fillmore St., parcel 70-11-02-100-041. Moore summarized the request indicating there was not enough information provided on the application and asked Mr. Allen to answer some questions to provide more information. Allen said he needs Township approval in order to obtain a Federal Fire Arms License to send out gun parts and guns. He will not be selling ammunition as of now. He will have on site storage of guns and components which the Bureau of Alcohol Tobacco and Firearms will inspect, requiring safes and secure rooms. Allen said he is currently building an addition to his accessory building and he is planning on assembling them in his garage. Petroelje asked if he will sell directly out of his house or all online. Allen said all sales will be online, but if someone buys online who lives nearby they could pick up at his house. Allen said the plan is to buy gun parts online, assemble them and then sell them online. There will be no manufacturing and no testing of firearms or shooting onsite. Public auctions are strictly online, not at their house. Allen does not want any sign on the property. Davis commented that under current ordinance a home occupation must be “conducted entirely in the dwelling.” In the new revised, not yet adopted ordinance, firearms sales are considered a “major” home occupation and can be conducted from an accessory building. Moore said Allen will not be able to use his accessory building for this until the new Zoning Ordinance is approved. Moore stated that conditions will supersede the new ordinance once adopted, so any conditions that are more restrictive than the zoning ordinance will still apply.

Motion by Monhollon to approve this Special Use with the following conditions:

- 1. There shall be no exterior modifications to the home to accommodate the firearms business with the exception of the permitted two (2) square foot identification signs, unless a modification proposed is to properly secure the dwelling for security reasons.**
- 2. The firearms business shall be conducted within the single family dwelling. No portion of the business shall occupy an accessory building unless permitted by the Zoning Ordinance.**
- 3. The operator of the business shall be the owner of the dwelling and reside at the dwelling. The dwelling shall not be rented, leased or traded to another person to operate the business.**
- 4. There shall be no discharge of firearms in association with the business on the property outside the normal use of firearms permitted by Township, County, State or Federal law.**
- 5. The owner shall not establish an outdoor shooting range or target range in association with the firearms business.**
- 6. This special land use permit shall expire upon the change of ownership of the property.**

Motion was supported by Petroelje and carried.

3. Master Plan discussion.

Moore indicated that if the Commissioners were comfortable with the draft Master Plan they need to recommend it to the Township Board for distribution to neighboring entities. **Motion by DeLeeuw, supported by Van Ginhoven, to recommend the Township Board distribute the draft Master Plan to neighboring communities as required by the Michigan Planning Enabling Act.**

Van Malsen adjourned the meeting at 7:15 PM.