

**Minutes of a Regular Meeting of the
Port Sheldon Township Board
October 13, 2021 – 5:30 P.M.**

1. Call to order
2. Roll Call

Present: Howard Baumann, Teresa De Graaf, Rachel Frantom, Bill Monhollon and Gerald Smith.

Absent: None

Also present: Attorney, Ron Bultje, Fire Chief, Brad Dirkse, Stillwater Development representative, Kelly Kuiper, Cunningham Dalman attorney, Randy Schipper, State House candidate, Mick Bricker and nine township residents and guests.

3. Pledge of allegiance.
4. Invocation

Teresa De Graaf offered the invocation.

5. Additions to Agenda: Budget Amendment
6. Approval of Agenda.

Motion by Smith to approve the agenda with additions. Supported by Frantom and carried.

7. Consent Agenda Approval

- a. Approve Minutes- September 8, 2021 Regular Meeting and September 8, 2021 Special Meeting.
Correction made to September 8, 2021 Regular minutes – Fire Captain correction.
- b. Approve Financial Report
- c. Approve Correspondence: Lakeshore Advantage Thank you letter, three resident emails concerning Olive Shores development project
- d. Approve Committee Reports
 - Building – September report – seventeen permits issued with five new house starts.
 - Fire Department – September report – nineteen calls and two meetings.
- e. Approve payment of Bills

Motion by Smith to approve the consent agenda. Supported by Frantom and carried.

8. Consider Planning Commission recommendation – Curtis Moran development.

Email correspondence, dated October 11, 2021 from Cunningham Dalman attorney, Randy Schipper and Stillwater Development representative, Kelly Kuiper entered into record.

Kelly Kuiper re-iterated statements made at the September 16th Planning Commission meeting requesting approval of application variances.

Board members addressed concerns with the application and the attorney and developer's email correspondence.

Randy Schipper asked the board to clarify the Special Assessment contingency that was not addressed at the September 16th Planning Commission meeting.

Two township residents addressed concerns regarding the development and asked the board to approve the Planning Commission recommendation.

Motion by De Graaf seconded by Gerald Smith, to deny the variances requested by Curtis Moran for the Olive Shore Site Condominium project, as such denial was recommended by the Planning Commission. The motion was made based upon the reasons contained in the Williams & Works report of September 21, 2021, and the Planning Commission minutes of September 22, 2021. Further, the motion made the following findings on each of the three standards for the consideration of variances from the Site Condominium and Utility Extension Ordinance:

1. There are no special circumstances or conditions affecting the property in question that would deny the applicant reasonable use of his land if the ordinance is enforced as stated. The ordinance does not allow site condominiums without public water and public sewer, but the applicant may still use the property for any of the uses allowed in the AG-1 zoning district, including many nonresidential uses, and including residential use with a single-family dwelling (of the 72 lots in the Township with a size similar to the applicant's property, 52 of them are used for single family dwellings).

2. For the reasons cited in item 1 above, the variances are not necessary for the preservation of a substantial property right of the applicant. In fact, the Township's master plan recommends against the establishment of site condominiums where public water and public sanitary sewer do not exist.

3. Granting the variances requested would deviate from and be contrary to the ordinance and the master plan, which do not allow or recommend site condominiums without public water and public sewer, without any reasons to justify that deviation, as noted by items 1 and 2 above.

Finally, the motion notes that the ordinance, as amended, does not allow a site condominium without public water and public sewer to be approved if it has a special assessment agreement; therefore, that request by the applicant cannot be granted.

The motion passed unanimously.

9. Pigeon Lake weed control.

Petitions received by Pigeon Lake property owners have exceeded the 50% land area stipulation for board action. Three township residents spoke objecting to continuance of current lake treatments. Township resident, George Tesseris, shared an abundance of information regarding biological alternatives to lake treatment, including an option for support and research from Professor Brooks and a team at Michigan Technological University. Board members tabled a decision until further discussions and education can be obtained.

10. Floodplain Ordinance.

Motion by Frantom to adopt Floodplain Management Provisions of the State Construction Code Ordinance 2021-01. Supported by Smith and carried with five yes roll call votes. Ayes: Baumann, De Graaf, Frantom, Monhollon and Smith. Nays: None.

11. Snow Removal estimates – 2021-2022 season.

Motion by Frantom to continue the 2021-2022 snow removal services with CLS for the fire station and Diemer Property Services for all other township properties. Supported by Monhollon and carried.

12. Policy Book Discussion.

Recommendation made to have Frantom and De Graaf review the policy book and bring a full revision to the board for approval/input upon completion.

13. Discussion – Parks.

Discussed vandalism at Kouw Park bathrooms and a recent theft of another life ring at Windsnest Park. Board members discussed possible admission charges, management by Ottawa County, parking and winter closure as possibilities.

Supervisor Baumann will contact Ottawa County for further discussion regarding management opportunities.

14. Additions to the Agenda – Budget Amendment

Motion by Smith to increase the Audit budget by moving \$500.00 from the Legal budget. Supported by De Graaf and carried with five yes roll call votes. Ayes: Baumann, De Graaf, Frantom, Monhollon and Smith. Nays: None.

15. Public Comment.

Consumers Energy closure.

Mick Bricker, State House candidate, re-introduced himself and shared about the re-districting currently in progress.

New home construction and golf carts on bike paths were also discussed.

16. Adjourn

Motion by Monhollon to adjourn. Supported by Smith and carried.

The meeting adjourned at 7:07 p.m.

Teresa De Graaf, Clerk