

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting
Wednesday, February 5, 2014
Vevay Township Hall – 7:00 p.m.

MINUTES

Members present: Jack Cady, Roger Cargill, John Lazet, Ilene Thayer, and Bruce Walker.

Member absent: Stacy Byers.

Other Persons present: Supervisor Gary Howe, consultant Mark Eidelson.

I. Call to Order: The meeting was called to order at 7:00 p.m. by Chair Thayer.

II. Pledge of Allegiance

The audience joined the Commission in reciting the Pledge of Allegiance.

III. Set/Amend Agenda

The agenda was accepted as presented.

IV. Approval of 1-8-14 Regular and 1-23-14 Special Meeting Minutes

Regular meeting minutes – were accepted as presented.

Special Meeting Minutes – amend page 2, at the bottom of the page in the paragraph headed by “**Mr. Eidelson**” - after “used” by striking “not only”; amend after “on” by striking “/from”; and amend on the last line after “sign” by striking the remainder of the sentence.

MOTION Cargill, seconded by Walker, to approve the January 8, 2014 regular meeting minutes as presented; and to approve the January 23, 2014 special meeting minutes as amended.

CARRIED

V. Brief Public Comment

Greg Shaw – asked if portable EMCs were currently in use in the Township? COMMISSION – yes.

VI. Reports

A. January 2014 AGS Building/Zoning Report

The written report indicated that there were no building/zoning permit applications, no complaints, and no authorizations to enforce.

B. SLU Check-off Sheets

1. SLU permit #77 – Capital City Car Club –2373 Barnes Road - Antique Cars -
The operations are active and the annual fee has been paid. There have been no complaints and no change in operations.

To preserve his right to vote on the SLU permit renewals when they are considered by the Township Board, Comm. Walker recused himself from voting on the following motion:

MOTION Cady, seconded by Walker, to recommend to the Township Board renewal of SLU permit #77.

CARRIED

- C. 2012 Michigan Association of Planning (MAP) Monthly Report – Stacy Byers

There was no report.

- D. Land Use Conference Report – Chair Thayer & Trustee Walker (no enclosure)

Comm. Walker – had attended several of the sessions. Of note for Commission actions:

- MTA is of the opinion that generally a person sitting on both the Planning Commission and the Board of Trustees could vote on the same issue on both boards. (**Mr. Eidelson** – Changes to the Zoning Enabling Act in 2006 clarified that the same person cannot vote on both an original decision, and an administrative appeal decision, such as by the Zoning Board of Appeals. The Board can appoint an alternate member to temporarily replace the member, attend a meeting considering an appeal, and vote on the appeal. The original member can then resume their seat.)
- The Commission is encouraged to be looking ahead on the Master Plan as the population ages and younger folks move in, perhaps having a mission statement to stay on track.
- Younger people are generally looking towards urban living that is more compact and walkable.
- Expect more house sales in rural and suburban areas; these areas are likely to over time have more homes for sale than buyers, and could be a buyer’s market.
- The Commission should be characterized by fairness, consistency, and predictability in the process.
- Site visits were encouraged, understanding that there should be no talking about issues with the land/business owner that could come before the Commission.
- Septic sites are likely to be an issue.
- “Agritourism” should be carefully considered from all points of view.
- The key word in Right to Farm issues is “commercial”, with operators having an intent to make a profit.
- Processing operations are not protected by the GAAMPs.
- If animals are allowed by Ordinance in any district, that district *is may be* open to animal husbandry under the GAAMPs.
- While regulation of many operations is pre-empted, ancillary features can be regulated, such as hours of operation.
- Commissioners should know their goals and purpose, and document the goals and the process to protect them.
- Several significant exemptions to the property tax are being debated at the state level.

- When reviewing the Master Plan it is recommended:
 - To first have an overview, including concerns and what direction the Commission wants to head.
 - From public ~~hearings~~ *input*, figure out what people want, and their expectations.
 - To get the best public participation, figure out beforehand how to accept and then use input.
 - Spend half of the review time on issues and concerns, and the other half on how to achieve those goals and alleviate concerns.
 - Identify key words and phrases, and from them derive goals and processes to achieve ~~those~~ *the associated* goals.
- It is important to let the public know how the process will work.
- There are three broad means by which public input can be used in reaching decisions:
 - The Commission can solicit public input and make a decision, OR
 - The public can decide at the meeting, OR
 - The Commission can meet with individuals and groups and then the Commission decides.
- Consider broadband planning; cable is expensive to extend to rural areas, and wireless service companies are more likely to be the providers. There are about 150 broadband providers in Michigan, many of them members of the Connect Michigan coalition.
- When conducting Township business, using personal email accounts subjects those accounts to public disclosure pursuant to the Freedom of Information Act.
- A cost effective means of communicating with residents is via inserts in mailings of property assessments or tax mailings.

Chair Thayer – had also attended several sessions, and had some additional input:

- Relative to retiring SLU permits, it was recommended to have a “drop dead” clause in the Zoning Ordinance. If there is a year of no activity, have a process of notification, and then retire the permit. (Our current Ordinance first requires a public hearing)
- Every commissioner should have some level of continuing training every year.
- Commissioners should reference ~~use~~ the Master Plan on a regular basis; it should be “dog-eared.”
- When planning meetings on the Master Plan, commissioners could call neighbors and friends to encourage participation.
- Clarify at public hearings that input is appreciated, but decisions will be made at a later time by the Commission.
- One speaker recommended ~~floor-based~~ form-based building codes where materials & predictable results are the goal.
- Commissions should consider sustainable development, such as bike paths, rain gardens, etc.

VII. Pending Business

A. Community Planner – Mark Eidelson – Updated Sign Regulations

Mr. Eidelson - Had prepared new draft sign amendments, dated January 27, 2014, incorporating previously suggested changes. He summarized, and the Commission discussed:

- In the Introduction’s summary of new revisions, the second line of (6) (b) now correctly references section “20.03”.

- There are no changes to amendments 1 through 9.
- 20.01 – no new changes
- 20.02 – now clarifies the definition of “illumination”, and that EMCs are internally lighted signs.
- 20.03:
 - (A)(2)(d) now includes a requirement for submitting the sign brightness specifications according to the manufacturer.
 - (C)(4) on interior illumination specifically does not apply to temporary signs.
 - (C)(6)(a) is clarified to prohibit animation on EMCs.
 - **COMMISSION** – (C) (6) (c) should be deleted.
- 20.04 – (A) (1) clarifies that home occupation signs cannot be illuminated.
- 20.05 – no changes.
- 20.06:
 - a typographical error is corrected.
 - **COMMISSION** - (B) (4) – revise the square footage to “250” square feet to reflect an industry standard for size.
 - (B)(6) now applies the chapter’s lighting standards to billboards
- 20.07 – no changes
- Table 20-1:
 - **COMMISSION** – for clarity and parallelism, use the commentary under “Maximum Area of Signs” for FS in the M-1 District as the commentary for FS in the B-1, B-2 District, though keeping the numeric standards as written.
 - **COMMISSION** – Under Special Provisions, “Farm market” needs to clearly allow for a residence on the property.
 - **COMMISSION** – in (2), signs without EMCs can only be externally illuminated, must be ground signs only, and limited to non-residential purposes.
 - **COMMISSION** – in (2)(b), specifically allow EMCs, using the language in (3)(a)(1) but changing the allowable percentage within a sign to “50%”, up to a maximum of 12 square feet.
 - **COMMISSION** – in (2) (b) (2), “non-residential character” and uses need to be more specific, such as a parcel used primarily for non-residential purposes.
 - **COMMISSION** – in (2) (b) (2) (b) clarify that the face of the sign cannot be visible by dwellings to the north or south.
 - **COMMISSION** – in (2) (b) (2) (d), include parcels with frontage on West Service Road.

COMMISSION – had discussion on how best to address night lighting in the A-1 district for non-residential purposes, such as churches, veterinarians, etc. Mr. Eidelson will work on draft language.

B. Previously Discussed Z.O. Amendments (no enclosure)

This item of business was tabled for the evening.

VIII. Any Other Business

Chair Thayer – noted that SLU permit #111 (the Bill Rogers gravel mining operation), the land has been fully reclaimed, the bond has expired, and by Ordinance, the SLU permit has expired.

Chair Thayer – the holder of SLU permit #117 (a commercial kennel) has not paid the annual fee. A signed copy of the permit has never been returned to the office. A letter was sent during the summer of 2013, and repeated efforts have been made by the Township to contact the owners. To date there has been no response. The permit holders never met the initial requirements in the permit, and retirement has been recommended.

Supervisor Howe – he has been looking into the issue of whether a SLU permit conveys a right that can only be retired for cause, and the Township is considering a policy for retiring SLU permits. The Ordinance currently requires a public hearing before revocation of a SLU permit.

IX. Additional Public Comment

There was no public comment.

X. Adjournment

There being no further business, the meeting was adjourned at 9:52 p.m.

John Lazet, Secretary