

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting/Public Hearing
Wednesday, December 3, 2014
Vevay Township Hall – 7:00 p.m.

MINUTES

Members present: Jack Cady, Roger Cargill, Coe Emens III, John Lazet, Pattie McNeilly, Ilene Thayer, and Bruce Walker.

Member absent: None.

Other Persons present: Supervisor Howe, Legal Counsel David Revore, and Planning 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 Minutes: Regular Meeting 11-5-14 and Joint Meeting 11-10-14

November 5 minutes: Amend page 3, paragraph that starts “COMMISSION”, fourth line, after “prepare” by striking “draft”.

MOTION Cargill, seconded by Walker, to approve the November 5, 2014 meeting minutes as amended.

CARRIED 7-0.

November 10 joint meeting minutes: Amend page 4, paragraph that starts “Trustee Walker”, third line from the bottom, after “Comm. Cady” by striking the first sentence in its entirety.

MOTION Cargill, seconded by Walker, to approve the November 10, 2014 joint meeting minutes as amended.

CARRIED 7-0.

V. Brief Public Comment

There was no public comment.

VI. Recess to Public Hearing

a. Proposed Zoning Ordinance Swimming Pools Amendment – Chapter 3

Mr. Eidelson - briefly explained the purpose of the proposed amendment as bringing the Ordinance into conformity with state regulations on fences and gates. Adopting the amendment would prevent possible future conflicts with the building code.

There was no public comment

VII. Adjournment of Public Hearing and Recommencement of Regular Meeting

There being no further public input, the public hearing was closed and the regular meeting recommenced at 7:11 p.m.

VIII. Reports

A. November 2014 AGS Building/Zoning Report

The written report indicated that there were 10 building/zoning permit applications, involving construction of an addition to a pole barn, constructing a pole barn, adding 5 footings/foundations in the Mason Manor mobile home park, 1 demolition, 1 fire remodel, and 1 upgrade of equipment on a cell tower. There were no complaints/authorizations to enforce.

Supervisor Howe – noted that two barking dog complaints are still in process, and there are no new complaints in the past month.

B. SLU Check-off Sheets

1. SLU permit #3 – VFW Post 7309, 1243 Hull Road – Meeting Hall

The operations are active, and the annual fee has been paid. There have been no complaints and no change in operations. It was noted that with the recent addition of Chapter 20 (“Signs”) to the Zoning Ordinance, the lighted sign at the hall is in compliance with the Ordinance.

2. SLU permit #69 – Ron Weesies, Kelly Road - Greenhouse

The operations are inactive, and the annual fee has been paid. There have been no complaints.

3. SLU permit # 121 – Kellie Johnson, 2305 Tomlinson Road, Beauty Shop

The operations are active, and the annual fee has been paid. There have been no complaints and no change in operations.

MOTION Cady, seconded by Walker, to recommend to the Township Board renewal of SLU permits #3, #69, and #121.

CARRIED 7-0.

IX. Pending Business

A. Proposed Zoning Ordinance Swimming Pools Amendment – Chapter 3

The Commission having previously discussed this amendment as being needed to have the Ordinance comply with state building codes, and in compliance with Section 19.05(B) of the Ordinance, the Commission found that:

- The proposed text amendment would clarify that the intent of the Ordinance is to be in compliance with state building codes;
- The proposed text amendment is not needed to correct an error in the Ordinance;
- The proposed text amendment would reduce or avoid any conflict with state regulations;
- The proposed text amendment would keep the Ordinance in compliance with future changes in State regulations relative to fences and gates around pools;
- As swimming pools are already a permissible use, the amendment would be fully consistent with the character of the range of uses provided for within the district;
- The amendment does not create incompatible land uses within a zoning district, or between adjacent districts;
- The proposed text amendment relies on the state having studied and researched this issue of state building codes for regulation;
- The proposed amendment has no effect on the Township's ability to provide adequate public facilities and services; and
- The proposed amendment is consistent with the Township's desire to protect the public health, safety, and welfare of the community.

MOTION Cady, seconded by Cargill, to recommend to the Board of Trustees approval of the proposed Zoning Ordinance amendments to Chapter 3, Sections 3.11(C) and 3.11(D) regarding "Swimming Pools", as set forth in the proposed amendment drafted by Township legal counsel.

CARRIED 7-0.

B. Social Events in Agricultural Districts – from Community Planner Mark Eidelson

Commissioners had previously received a memorandum from Mr. Eidelson, dated November 21, 2014, containing three proposed draft amendments with notes and explanations that would allow for social events on certain parcels throughout the Township Agricultural Districts.

Chair Thayer – briefly described the process to date in developing the draft proposal.

Mr. Eidelson – emphasized that this is a first attempt at putting language together to allow for social events in certain circumstances. He then walked the Commission through the proposed amendments. Any allowable events would be regulated by the SLU permitting process. All of the issues raised by Commissioners in previous meetings have been incorporated into the language. The Commission may want to consider changing "social" event to "special" event. As drafted, events would be clearly tied to active agricultural operations.

- Amendment #1 – would define "social event facility" to limit development, and exclude personal family events from the regulatory process.
- Amendment #2 – would authorize "social events facilities" by SLU permit in the Table of Uses in Agricultural Districts.
- Amendment #3 – would add the regulation of social events within Chapter 16 on SLUs by adding a new Section 16.06 (TT). Included in the language are definitions, lot sizes, setbacks, allowance for Commission flexibility in the setting of certain regulations based on existing conditions (thereby avoiding significant ZBA involvement), limitations on the number of events based on the number of attendees, distances from existing residences

and platted subdivisions, parking requirements, regulations on hours of operations, noise limitations including the prohibition of amplification devices in outdoor areas and no sound from inside areas being perceptible at any property line, prohibition on overnight sleeping, allowance for limited modification of buildings so as to retain their agricultural appearance, regulating height and lighting issues, regular reporting by the SLU permit holder on the number and nature of the events in the past month, as well as notice of upcoming events at which more than 150 attendees are expected, delineation of additional information needs and needed governmental licenses (County Health Department for food, Michigan Liquor Control Commission for serving of alcoholic beverages, etc.) to be included with a SLU application, and the applicant's statement of intent for uses should the SLU permit be approved.

COMMISSION – discussed what parcels could be included; the difference in proposed uses from agritourism as recognized by the GAAMPs; what constitutes an active agricultural operation; the consequences of allowing non-agricultural uses and commercialization in the Agricultural District, especially the impacts on neighboring parcels; the Township proximity to a larger urban area that may encourage some individuals to take advantage of the opportunity to use Township parcels, with enforcement being possibly in the circuit court; and the lack of effective Township enforcement mechanisms and sanctions.

COMMISSION – discussed the Master Plan's support of agricultural operations; and the Plan's stated goals and policy direction on topics including planning issues, Township overall goals and objectives, growth management goals, farmland protection, Township residential and commercial goals, circulation (traffic), and regional coordination.

COMMISSION – discussed if changes in the various standards as drafted could address the questions raised, especially given the flexibility the Ordinance already grants the Commission in considering SLU applications; the possibility of significant separation distances from different parcels having social events SLU permits; and a recognition that approval of a SLU application is not necessarily an obligation to approve any other similar application.

After extensive discussion, the proposed language was tabled for the evening.

C. Master Plan Update

Mr. Eidelson – briefly updated the new members on the process: law requires a Master Plan to be prepared by the Planning Commission to identify overarching Township policy for growth, development, land use, and public services; includes various details on the nature of the Township, goals for development, and goals for how growth will be managed. By law the Master Plan must be reviewed every 5 years. The Commission has requested permission of the Board to propose a new Plan to meet the requirements of the new state law that replaced the law under which the current Plan was developed.

X. Any Other Business

No other business was discussed.

XI. Additional Public Comment

There was no public comment.

XII. Adjournment

There being no further business, the meeting was adjourned at 8:43 p.m.

John Lazet, Secretary