

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting/Public Hearing
Wednesday, June 3, 2015
Vevay Township Hall – 7:00 p.m.

MINUTES

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

Member absent: Jack Cady.

Other Persons present: Supervisor Jesse Ramey, Consultant Mark Eidelson, and Legal Counsel David Revore.

I. Call to Order: The meeting was called to order at 7:03 p.m. by Chair Thayer.

II. Pledge of Allegiance

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

III. Set/Amend Agenda

Under Pending Business, add “D. Zoning Map Review”

IV. Approval of Minutes: Regular Meeting 5-6-15

May 6, 2015 regular meeting minutes – No amendments were offered.

MOTION Walker, seconded by McNeilly, to approve the May 6, 2015 regular meeting minutes as submitted.

CARRIED 6-0.

V. Brief Public Comment

There was no public comment.

VI. Recess to Public Hearing

- a. Special Land Use Permit Application for in Home Dog Grooming
Alissa Pawlowski – 1366 W. Dexter Trail, Mason

Ms. Pawlowski – has a small farm with chickens, goats, and dogs, situated about 1000 feet off the road. She would not have more than one dog at a time, and would have no employees. Parking is not an issue. Her neighbors are fine with the proposal. She is a realtor, and anticipates most grooming being during the off season for realty.

Chair Thayer – noted that Gary and Karen Welton submitted a letter to the Township indicating no opposition to the proposal.

Audience - Greg Shaw and Mary Lou French indicated no opposition to the proposal.

VII. Adjournment of Public Hearing and Recommencement of Regular Meeting

There being no further comment, the hearing was adjourned at 7:10 pm, and the regular meeting recommenced.

VIII. Reports

A. May 2015 AGS Building/Zoning Report

The report indicated that there had been 9 permit applications: a new home inspection, an addition, a new home, 5 re-inspections, and reactivating an old permit. There were 4 complaints/authorizations to enforce: 3 complaints of blight; and legal counsel contacted a resident's attorney requesting compliance with a 2002 consent judgement court order.

B. Special Land Use (SLU) Check-off Sheets for June renewal

SLU permit #115.01 – Ivy Mineral Water –Salt Water/Mineral Well – Service Road

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

SLU permit #123 – Lansing Hit Club – Indoor Recreation Facility - 839 Eden Road

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

**MOTION McNeilly, seconded by Cargill, to recommend to the Township Board renewal of SLU permits #115.01, and #123.
CARRIED 6-0.**

IX. Pending Business

**A. Special Land Use Application for In Home Dog grooming
Alissa Pawlowski – 1366 W. Dexter Trail, Mason**

Comm. Walker – asked as to the role of the zoning administrator in the SLU permit application process? Mr. Eidelson – the zoning administrator look over applications for permits that don't require Commission action, and inspects and enforces all permits as necessary.

Chair Thayer – reported that she had been in discussion with Mr. Eidelson and Supervisor Ramey, and Mr. Eidelson advises that the Commission have explicit findings, as required by the Zoning Ordinance, and that those findings should be included in any motion to recommend or deny a SLU permit application.

Mr. Eidelson – elaborated on the need to be more specific with findings for purposes of drafting the appropriate motion as courts have looked to the minutes and official actions/motions of planning commissions in response to legal challenges to commission decisions.

COMMISSION – had extended discussion of the various provisions of the Ordinance relative to consideration of a SLU permit application; timing of the process; how best for the Township to communicate with applicants to ensure applications are as complete as possible before submission or the required public hearing; the possible development of a master checklist that the Commission could use to guide discussions on what specifics needed to be considered and the findings needed to be made; and how best to determine the findings as required by the Ordinance and then recording those findings in the minutes.

Mr. Revore – supported having a checklist covering the items listed in Sec. 16.03 of the Ordinance, and then crafting a motion after the discussion. The process would then be deliberation on the items, and drafting a motion after discussion for consideration at the next Commission meeting.

COMMISSION – in considering the Pawloski SLU permit application, found that all proposed activities would take place in existing buildings and that no construction of additional structures is proposed; no additional lighting would be needed; no fences are proposed ; given the 1000 foot setback from the road and placement of the residences and trees in the area, any noise issues would be mitigated by the distance to neighboring residences; no additional parking would need to be constructed as traffic would be limited to one vehicle per appointment ; no plantings or vegetative screenings would be needed; and given the above findings and only one dog being on site at a time, the essential character of the surrounding area would be unchanged.

COMMISSION – further determined that the minimal traffic, lack of construction and low activity use would not involve any hazardous uses, activities, materials, or equipment; there would be no foreseeable creation of situations hazardous to the health, safety, or welfare of surrounding neighbors and parcels; there would be no negative impact from smoke, dust, fumes, glare, or site drainage as there would be no activity to generate these potential nuisances; based on the proposed minimal traffic, the lack of construction and the limited number of clients, the use would not place any additional demands on Township provision of services or on Township facilities; and that as the use would be low impact and almost invisible to the public, the proposed use would not change the current use of the property as primarily residential, and would conform to the Master Plan for parcels in the Agriculture District.

COMMISSION - the site plan submitted was agreed to be in conformity with the provisions of the Zoning Ordinance as it contained the required sketch of the property with all buildings, trees, setbacks and dimensions, location of proposed use, and driveways. As there would be no alterations to any lighting, driveways, parking, plantings, signage, sewage disposal, or structures, the site plan adequately indicates the impact of the proposed use on the parcel.

MOTION Walker, seconded McNeilly, that the Commission table consideration of the Pawloski SLU permit application and that Mr. Eidelson be asked to draft a motion to allow the Commission to vote on the SLU permit application at the regular July 8, 2015 meeting. CARRIED 6-0.

B. Request for solar panels from Dan Bradish, 2410 Ives Road, Leslie – ZO Chapter 3, Section 27(A)

Dan Bradish – has submitted all required documents, plus a letter from his closest neighbor supporting the proposal, and is happy to answer any questions. There would be no glare, and the proposed location is already screened from neighbors by mature evergreens. The entire array would be 51 feet in length.

COMMISSION – discussed the role of the zoning administrator during the application process in reviewing the application to ensure what is considered by the Commission is a complete application; that as there is no mechanical equipment other than the panels, that no additional screening is needed and it meets the conditions of the Ordinance; that it will not be located in the front yard, but the side and back yard; that it would meet the size requirements of not exceeding 8000 square feet for the parcel; that there would be no glare directed onto the road or other properties based on its construction and placement; that the proposed height of 6 feet is under the 15 foot allowable maximum; that a greenbelt is not required as the panels would face south and plantings already exist, and that the array would be more than 150 feet from the lot line. It was determined that the application is complete and would be in compliance with all pertinent provisions of the Ordinance, Sec. 3.27.

MOTION Walker, seconded McNeilly, that the application is complete, all appropriate documents listed in Section 3.27 have been submitted in appropriate form, that as there is no mechanical equipment other than the panels, that no additional screening is needed; that it will be not be located in the front yard, but the side and back yard; that there would be no glare directed onto the road or other properties; that it would meet the size requirements of not exceeding 8000 square feet for the parcel; that the proposed footings are in compliance with Ordinance requirements and that the proposed height would be under the 15 foot allowable maximum; that a greenbelt is not required as the panels would face south, and that is more than 150 feet from the lot line; and that the application is hereby approved as submitted.

CARRIED 6-0.

C. Discussion Regarding possible ZO Amendment Concerning Medical Marijuana

Chair Thayer – recommended that further discussion on this issue be tabled, and that legal counsel and Mr. Eidelson be prepared for discussion at a future date, once it is clearer whether there may be upcoming changes in state law and regulations.

D. Zoning Map Review

Mr. Eidelson – in response to prior Commission comments, he had prepared two new maps, one with the roads being all black, and one having roads in white and outlined in black. Some of the district boundaries may still need to be adjusted, and he will have further conversation with the Township to ensure that all of the boundary lines are accurate. There will be no re-zoning proposed, but a discussion with Township staff to finalize a map for Commission approval. Once that is finished, the Commission can schedule a public hearing for adopting the map and amending the Ordinance, and conclude the process by developing a legal amendment to adopt the map as part of the Zoning Ordinance.

Mr. Eidelson – would recommend having the Township acquire at least one presentation size map, and that the final map have the appropriate signatures to designate it as the official map.

COMMISSION – asked to have a map prepared with all public roads in the Township designated in solid black. There was discussion as well on the appropriate zoning of the properties marked as B-1 and R-B1 on the south side of Barnes Road, just east of US-127.

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 8:52 p.m.

John Lazet, Secretary