

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

MINUTES

Members present: Stacy Byers, Jack Cady, John Lazet, and Ilene Thayer.

Member absent: Roger Cargill and Bruce Walker.

Other Persons present: Supervisor Gary Howe, consultant Mark Eidelson, and legal counsel Dave Revore.

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 amended to reflect SLU permit invoices having been mailed.

IV. Approval of 4-9-14 Regular and 4-22-14 Special Meeting Minutes

April 9, 2014 regular meeting minutes – no amendments were offered.

April 22, 2014 special meeting minutes – no amendments were offered.

MOTION Cady, seconded by Lazet, to approve the April 9, 2014 regular meeting minutes as submitted; and to approve the April 22, 2014 special meeting minutes as submitted.
CARRIED

V. Brief Public Comment

There was no public comment.

VI. Reports

A. April 2014 AGS Building/Zoning Report

The report indicated that there had been 2 permit applications: one to co-locate an antenna on an existing tower, and one to add a deck and retaining wall. There were no complaints or authorizations to enforce.

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

SLU permit #10 – Thomas Plumhoff – 1858 Columbia Road – Radio Tower

The operations are active and the annual fee has been billed but not yet paid. There have been no complaints and no change in operations.

SLU permit #35.01 – Larry Albert – Tomlinson/Service – Eagle View Golf Club

The operations are active, and the annual fee has been billed but not yet paid. There have been no complaints and no change in operations.

SLU permit #72 – Michigan Trapshooting Association – 1534 Service Road - Trapshoot

The operations are active, and the annual fee has been billed but not yet paid. There have been no complaints and no change in operations. The 2014 schedule of events (shooting days): May 2-4, May 21-25, July 1-6, and Sept. 5-7.

SLU permit #124 – James H. Myall Trust– W. Columbia near Ives – Cell Tower

The operations are active, and the annual fee has been billed but not yet paid. There have been no complaints and no change in operations. The tower continues to be under construction.

MOTION Cady, seconded by Byers, to recommend to the Township Board renewal of SLU permits #10, #35.01, #72, and #124.

CARRIED

C. Annual SLU Fee – 2014 Invoices mailed

Chair Thayer – reported that as of April 30, all annual SLU permit renewal fees have been mailed to permit holders.

VII. Pending Business

A. Continue Preparation of Zoning Ordinance Amendments for legal counsel and public hearing

Signs:

Mr. Eidelson – responded to questions raised at the April 22 Special Meeting of the Commission:

In proposed new Section 20.04, subsection (8):

- The opening sentence is not a definition as such; the wording is stylistic. The Commission decided to amend the third line, after “entity”, by inserting “are permitted”.
- The American flag and other governmental flags are not limited by size or number in the proposed language, as the restrictions only apply to non-governmental flags.
- Language will be included to allow up to three non-governmental entity flags per parcel.
- The 32 square foot size of a non-governmental flag will be retained, as well as the proposal that non-governmental flags up to 15 square feet in size not count towards the sign area in Table 20-1.
- The 10 foot proximity to the principal structure on the parcel is an attempt to keep the flag associated with the building in a compact manner. COMMISSION – decided to

eliminate this provision by amending the second line of (c) by placing a period after “flag” and deleting the remainder of the sentence.

In proposed new Sec. 20.06, after discussion with Mr. Eidelson on the reasoning of the wording, the Commission asked him to re-write the proposal as follows:

- In the opening sentence, third line, after “as” by striking “in the case of”;
- In (A)(1), allow for no more than 90 days per year as opposed to 45, with no more than 45 continuous days at a time;
- In (A)(2), allow for no more than two signs per lot as opposed to one; and
- In (A) (3), restrict signs to no more than 6 square feet in size as opposed to 32, and limit the height to 4 feet as opposed to 6.

In proposed Table 20-1 – Special Provisions – a technical correction in (2) (B) (2) (b), line 2, Mr. Eidelson was asked to insert a period after the second “only”.

LOT WIDTH, FRONTAGE, AND ACCESS:

After extensive discussion, the Commission:

- In Amendment #11:
 - Understood that the proposed amendment in Sec. 2.13 would indeed allow for the different measurement of lot width in Sec. 3.07.
 - Clearly understood that neither Sec. 2.13 nor Sec. 3.07 supersedes the other section for lot width measurement purposes.
 - Asked Mr. Eidelson to amend the 6th line, after “line”, by striking “horizontal”; and amend the 7th line, after “measured”, by striking “perpendicularly”.
- In Amendment #13:
 - After discussion of possible lot shapes, the Commission asked Mr. Eidelson to draft new language to limit Sec. 3.07 to cul-de-sacs, and curvilinear road segments wholly contained within a platted subdivision, a site condominium, or similar development.

1. Cellular Tower facilities

As Mr. Eidelson was unable to attend the April 22, 2014 special meeting, he responded to the questions raised:

- Under federal law cellular communication providers may, within reason, locate towers where they determine they will obtain the desired coverage; they cannot be required to co-locate antennae on existing towers. However, given the extensive cost of erecting a tower, co-location is often the best use of resources.
- There is no mechanism by which a governmental agency may require or use other regulatory means to compel cell phone coverage providers to make service available in areas of the Township not currently covered.
- Best practice for the Township would indeed be to keep records of proof of FAA approval for location of a new tower.

2. Generally Accepted Agricultural Management Practices (GAAMPs)

COMMISSION – had no further changes for the proposed amendments.

3. Solar Energy Systems

COMMISSION – had no further changes for the proposed amendments.

In summation of the proposed Ordinance amendments, it was noted last month that two adopted amendments (one addressing WECS and another addressing junkyards) inadvertently used the same subsection heading of Sec. 16.06QQ. Legal Counsel had recommended adopting an amendment to correct the heading, which he will have drafted in time for the June 4, 2014 regular meeting.

Pursuant to the discussion tonight, Mr. Eidelson/Mr. Revore will have the re-drafted language for signs and lot width in form for a public hearing during the June 4, 2014 regular meeting.

MOTION Cady, seconded by Byers, to schedule a public hearing for the proposed Zoning Ordinance amendments on signs and lot width during the regular June 4 meeting.

Carried, 4-0.

MOTION Byers, seconded by Cady, to schedule a special Commission meeting on June 25 at 7:00 pm; and also to schedule a public hearing during that June 25 meeting to accept public input on proposed Zoning Ordinance amendments addressing:

- (1) Cellular tower facilities;**
- (2) Eliminating potential conflicts with the GAAMPs;**
- (3) Solar Energy Systems; and**
- (4) Technical correction of section headings for WECS and junkyards in Section 16.06.**

Carried, 4-0.

B. Set additional meeting date

It was noted that the Master Plan needs to have its 5 year review performed; there was brief discussion about timing. Commissioners will be provided a guide for the review at the June 4 meeting in anticipation of starting the review during the July 9 regular meeting. Supervisor Howe commented that the Board of Trustees is ready to proceed on the Master Plan when the Planning Commission has finished its review. Mr. Eidelson was asked to do his own detailed review of the Master Plan and be prepared for discussion with the Commission during the July 9 regular meeting.

MOTION Byers, seconded by Cady, to schedule a special Commission meeting on July 30 at 6:00 pm to continue the review of the Master Plan.

CARRIED, 4-0.

VIII. Any Other Business

No other business was discussed.

IX. Additional Public Comment

Tami Shaw – asked about the GAAMPs amendment and the intent in the drafting. It was explained that the goal is to remove potential conflicts with the GAAMPs. She asked that the

Commission look again at the Ordinance to allow weddings and other social events as part of agritourism operations. After a brief discussion with Commissioners and as this time was for public comments, it was recommended that she contact the Township for how best to place her request before the Commission.

X. Adjournment

There being no further business, the meeting was adjourned at 9:09 p.m.

John Lazet, Secretary