

VEVAY TOWNSHIP PLANNING COMMISSION  
Regular Meeting/Public Hearing  
Wednesday, December 7, 2016  
Vevay Township Hall – 7:00 p.m.

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MINUTES

**Members present:** Jack Cady, John Lazet, Pattie McNeilly, Jim Minster, Ilene Thayer, Bruce Walker, and Al Winters.

**Members absent:** None.

**Other Persons present:** Supervisor Jesse Ramey, and Legal Counsel David 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 accepted as presented.

**IV. Approval of Minutes: Regular/Public Hearing Meeting 11-9-16**

No amendments were offered.

**MOTION Cady, seconded by McNeilly, to approve the November 9, 2016 regular meeting minutes as amended.** Revised 1-4-17

**CARRIED 7-0.**

**V. Brief Public Comment**

There was no public comment.

Chair Thayer - noted that Richard Lacasse has had to resign from the Commission as he is now an elected Trustee; Al Winters has been appointed to replace him. John Lazet is now the Board of Trustees liaison on the Commission, and Bruce Walker has been appointed to fill Comm. Lazet's former position on the Commission.

**VI. Recess to Public Hearing**

A. Re-Zoning at 781 Hull Road, NSD, LLC, from B-2 to M-1

Commissioner McNeilly commented that she has a conflict of interest with this application, and asked to be recused from consideration of the request.

**MOTION Lazet, seconded by Cady, to accept Commissioner McNeilly's recusal from any consideration of this re-zoning proposal.  
CARRIED 6-0.**

Comm. McNeilly left the room.

Doug Byers – explained that the re-zoning request is to allow for a contractor yard for a potential buyer of the property. The landscape business operations have ceased.

## **VII. Adjournment of Public Hearing and Recommencement of Regular Meeting**

There being no further public comment, the public hearing was ended at 7:07 pm, and the regular meeting recommenced. Commissioner McNeilly resumed her seat on the Commission.

## **VIII. Reports**

### **A. November, 2016 AGS Building/Zoning Report**

The written report indicated that there were five building/zoning permit actions, involving: an enclosed porch, a new home, construction of a pole barn, an addition to a pole barn, and addressing an Ordinance violation, ~~which was the unpermitted addition of living quarters to a barn.~~ One authorization to enforce the Zoning Ordinance has been resolved, an issue with noxious odors on West Dansville Road. Revised 1-4-17

COMMISSION - recommended the Board communicate with John Warvel that before gravel mining operations resume, the appropriate SLU permit and site plan approval should be secured.

### **B. Realize Cedar Plan Approved – Notice from Delhi Charter Township**

Commissioners had received copies of a letter from Delhi Charter Township, dated November 4, 2016, advising that their Township has approved the Plan in accordance with the provisions of Michigan law. A copy of the Plan is available on their website: [www.delhitownship.com](http://www.delhitownship.com).

### **C. Draft Master Plan Update**

Chair Thayer – reported that the Board of Trustees authorized distribution of the Plan for comment. Letters of notice of distribution have been sent to all of the appropriate governmental agencies, and also to all entities having requested copies of the draft Plan.

## **IX. Pending Business**

### **A. Re-Zoning at 781 Hull Road, NSD, LLC, from B-2 to M-1**

Commissioner McNeilly commented that she has a conflict of interest with this application, and asked to be recused from consideration of the request.

**MOTION Cady, seconded by Lazet, to accept Commissioner McNeilly's recusal from any consideration of this re-zoning proposal.**

**CARRIED 6-0.**

COMMISSION – noted that this parcel was re-zoned from B-1 to B-2 last year.

Pursuant to Section 19.05(B) (2) of the Zoning Ordinance, the Commission made the following findings:

- a. Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the Vevay Township Master Plan; or, if conditions have changed significantly since the Master Plan was adopted, the consistency with recent development trends in the area.

The Master Plan future land use map envisions possible industrial uses for this parcel. As the parcel has been used for wholesale storage and retail purposes for years, use as a contractor yard for perhaps 6 stake rack trucks and pick-up trucks, as well as orange safety barrels, arrow and message boards, etc., is consistent with the uses noted in the Master Plan. The trend for development in the surrounding area has been major retail (Meijer), automotive parts manufacturing, and highway service. Additional storage and staging area uses are compatible with this trend. Currently zoned B-2, re-zoning to M-1 eliminates the need for a SLU permit, and continues to potentially bring the parcel closer to an industrial use as delineated by the Ordinance.

- b. Whether the proposed district and the uses allowed are compatible with the site's physical, geological, hydrological and other environmental features. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.

The parcel's existing structures will continue to be used. No new construction is proposed, and almost the entire parcel is already paved and drained. The proposed re-zoning would not affect the physical, geological, hydrological, or other environmental features of the parcel. Re-zoning to Industrial is in line with the future land use map in the Master Plan, and is a reasonable request based on its close location to the US 127 Kipp Road interchange. There will be additional traffic, the level depending on the need for this service, but this impact should be minimal and essentially about the same as the current use. Dead batteries from the barrels, etc., will be properly disposed of in a landfill. Sound and other impacts to the Township would be minimally affected within this industrial use area. As no residences are planned, density is unaffected. The potential influence on property values is likely quite small, though having viable businesses can add value to the desirability of an area.

- c. Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including roads, sanitary sewers, storm sewer, water, sidewalks, and road lighting.

Based on testimony and discussion tonight, any additional demand on service would be only from any additional employees on site. As the site is already essentially paved and adequately drained, no new roads, no new sewer system, no storm sewer, no new water supply, no sidewalks, and no road lighting are proposed or needed. The new use could be offered utilizing the existing infrastructure. Further, in 2014 the Ingham County Health Department deemed the existing septic field to be adequate for up to roughly 20 more people regularly on site, which should adequately cover the needs of employees on site. Impacts of the re-zoning would likely be minimal.

d. Other factors deemed appropriate by the Planning Commission.

Given that no new construction of any sort is being proposed, and the proposed uses are not significantly dissimilar to existing uses, no other factors were considered.

Subsection 19.05(C) (2) of the Zoning Ordinance has five requirements for submitted written materials. The review by the Commission indicated that the requirements for submitted materials were satisfied:

- a) The petitioner's name, address and interest in the petition as well as the name, address and interest of every person, firm or corporation having a legal or equitable interest in the land.
- b) The nature and effect of the proposed amendment.
- c) If an individual property or several adjacent properties are proposed for rezoning, a location map, showing the location of the properties generally in the township, a legal description of the land(s) proposed for rezoning, the present zoning classification(s), the zoning classification of all abutting districts, and all public and private rights-of-way and easements bounding and intersecting the land under consideration.
- d) Any changed or changing conditions in the area or in the municipality which make the proposed amendment reasonable and necessary to the promotion of the public health, safety and general welfare.
- e) All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.

A public hearing having been held, and following Commission review of the petition for rezoning:

**MOTION Minster, seconded by Walker, to recommend approval of the Zoning Ordinance amendment drafted by legal counsel to re-zone parcel 33-10-10-16-300-010, address 781 Hull Road, from B-2 Highway Service to M-1 Industrial, based on the Commission findings as noted in these minutes, and as the proposed uses meet the intent of the Master Plan as envisioned in its map of future intended land uses.**

**CARRIED 6-0.**

Following the vote on the motion, Commissioner McNeilly resumed her seat on the Commission.

B. Set Meeting Dates for 2017

**MOTION Cady, seconded by Winters, to set the following dates for regular Commission meetings during 2017, all Wednesdays, and all starting at 7:00 pm:**

<b>January 4</b>	<b>April 5</b>	<b>July 5</b>	<b>October 4</b>
<b>February 8</b>	<b>May 3</b>	<b>August 9</b>	<b>November 8</b>
<b>March 8</b>	<b>June 7</b>	<b>September 6</b>	<b>December 6</b>

**CARRIED 7-0.**

C. Election of Officers

Chair Thayer – noted that her term is up next April, and she will be stepping down from the Commission to pursue other interests in her life.

Comm. Thayer was nominated for the position of Chair; there were no other nominations.

**MOTION McNeilly, seconded by Walker, to elect Comm. Thayer as Chair for 2017.  
CARRIED 7-0.**

Comm. McNeilly was nominated for the position of vice-chair; there were no other nominations.

**MOTION Lazet, seconded by Cady, to elect Comm. McNeilly as Vice-chair for 2017.  
CARRIED 7-0.**

Comm. Lazet was nominated for the position of Secretary; there were no other nominations.

**MOTION Cady, seconded by Minster, to elect Comm. Lazet as Secretary for 2017.  
CARRIED 7-0.**

D. Zoning Ordinance Amendments

Mr. Revore – is still looking into the possible processes for revocation and cancellation of a SLU permit; he is not yet ready to brief the Commission or make any recommendations.

Mr. Revore – provided a packet of 10 different local ordinances on equine training facilities.

Mr. Revore – is still in the process of looking for best practice ordinance language on home occupations. His research includes a possible permitting process, as well as a potential list of occupations that could be included in the permitting process.

Chair Thayer – as the Commission discussed repealing Sec. 19.05C (4) - asking the county planning commission for input on Zoning Ordinance amendments - she called the Tri-County Regional Planning Commission to receive their input on the possible repeal of this language. They indicated they would like to receive the zoning map amendments after adoption, but do not do advisory reviews or recommendations. Mr. Revore – noted that the placement of the language in the process reflects current law, but not the governmental structure of the TCRPC. COMMISSION – recommended at this point in time that subdivision 19.05C (4) be repealed and re-numbering the remaining subdivisions, and subdivision (5) be amended to reflect the repeal of subdivision (4). Mr. Revore will draft proposed language for consideration by the Commission.

Chair Thayer – noted that the Commission had discussed 14 items during the special meeting on October 4, 2016. Mr. Revore will begin work on preparing language on the various amendments discussed.

Mr. Revore – noted that gravel mining operations are very expensive and a significant issue that need a special focus. He will look into what other jurisdictions have done in addressing these operations. COMMISSION – had discussion on the consideration of the Tear Mine proposal from 2007-08, and where other gravel locations could be in the Township. Comm. Lazet will

forward to Commissioners copies of the minutes that covered that process, and also the proposed agreements from the Tear Mine proposal.

Comm. Walker – commented on the importance of having ground water recharge maps or areas identified for site plan applications in Sec. 14.03.

**X. Any Other Business**

No other business was discussed.

**XI. Additional Public Comment**

Clerk Kean – texted Supervisor Ramey to inform the Commission that the federal court dissolved its order on the recount of the Presidential election, resulting in the ending of the recount in Michigan.

**XII. Adjournment**

There being no further business, the meeting was adjourned at 8:37 p.m.

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John Lazet, Secretary