

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting
Wednesday, July 11, 2018
Vevay Township Hall – 7:00 p.m.

MINUTES

Members present: Jack Cady, John Lazet, Chris Lewis, Pattie McNeilly, Bruce Walker, and Al Winters.

Members absent: Jim Minster.

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 McNeilly.

II. Pledge of Allegiance

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

III. Set/Amend Agenda

As the Representative for TowerCo had traveled from North Carolina and had travel time later in the evening, it was agreed to move item A under Pending Business – “Cell Tower Time Extension Request by TowerCo for SLU #130 @ 1790 Hawley Road - to immediately follow the first Public Comment order of business.

IV. Approval of Minutes: Regular Meeting of June 6, 2018

Amend page 2, second paragraph, to correct the spelling of the Supervisor’s name.

MOTION Cady, seconded by Walker, to approve the June 6, 2018, Regular Meeting minutes as amended.

CARRIED 6-0.

V. Brief Public Comment

There was no public comment.

[NOTE: Item A under Pending Business was considered at this point during the meeting.]

VI. Reports

A. June 2018, Building/Zoning Report

The written report indicated that there were eight building/zoning permit actions, involving a re-inspection, a demolition, a demolition of a garage, three new homes, an addition to a residence, and an addition to a pole barn. A violation letter has been sent to a home owner to perform repairs; two attorney letters have been sent, regarding an unauthorized business on Barnes Road,

and a violation of junk in the front yard; and a letter was sent relative to parking an RV in a front yard, which has been resolved.

B. Preliminary Site Plan Review Application in City of Mason, for Enclave Development @ Rayner Ponds

Commissioners received a copy of the site plan submittal to develop a parcel on the north east area of Mason by selling and building homes on 19 sub-divided parcels, with a large common area of apparently unbuildable wetlands to be used for recreation. The public hearing was on Tuesday, July 10, at the City Hall. With the hearing concluded, comments are no longer being accepted.

C. Site Plan Application in City of Mason @ 154 Maple St. for Three Story Multi-Use Building (Informational Only)

Commissioners received a copy of the site plan submittal to develop a three-story building for mercantile, business, and residential use. The public hearing was on Tuesday, July 10, at the City Hall. With the hearing concluded, comments are no longer being accepted.

D. Zoning Compliance Permit for PJ's Towing @ 445 N. Cedar, Mason, MI

The Township received a letter from PJ's Towing expressing an interest in being permitted to use the property at 445 N. Cedar Street to store and maintain towing vehicles, and for temporary storage of damaged vehicles towed at the request of the Ingham County Sheriff's Department. In his capacity as the interim Zoning Administrator, Supervisor Ramey, in a letter dated June 21, 2018, has declared the proposed use to be compatible with past usage of the facility and to therefore be considered as a legal pre-existing non-conforming use. Any expansion of use, or parking outside beyond office hours, would be grounds for rescinding non-conforming status and possibly resulting in fines as well.

There was discussion on Section 17.01 (B) and Township designation of non-conforming use when a parcel changes hands

E. Update on Site Plan Request #18-03 by John Fischer, Crossrock LLC, on vacant property on Eden Road, Mason, MI, for a Contractors Storage Yard

The process of constructing the gravel pad and driveway has started. Fencing is about to start. The site plan has been corrected, updated, and filed with the Township.

VII. Pending Business

A. Cell Tower Time Extension Request by TowerCo for SLU #130 @ 1790 Hawley Road

The Township received a letter from the TowerCo representative, dated June 13, 2018, requesting an extension of one year for the zoning/SLU approval that is set to expire on August 14, 2018. Testimony last August was that the timing of construction would be based on when Verizon was ready to install their equipment. The original schedule for building in 2018 has been pushed back until the second quarter of 2019.

It was noted that pursuant to Section 16.04(B) of the Zoning Ordinance, the SLU is valid for two years from the date of approval, and TowerCo has 13 months remaining to initiate operations.

Mr. David Hockey, Director of Zoning for TowerCo – normally towers are constructed about 60 days before Verizon intends to install their equipment. For budgetary reasons, Verizon delayed their need for this tower until next spring. Mr. Hockey confirmed that no changes of any sort are proposed for the site plan. The building permit will need to be renewed. Upon request of the Commission, he agreed to notify the Township before construction starts next year.

MOTION Winters, seconded by Walker, that pursuant to Section 14.04 (E)(1) of the Zoning Ordinance, the expiration date of the site plan for the construction of a cellular tower with supporting switching equipment on parcel 33-10-10-26-400-024 be extended for one year, to August 14, 2019.

CARRIED 6-0.

B. Consider Amendment to Zoning Ordinance, Chapter 16, Special Land Use

COMMISSION – asked the Supervisor to work with the Board on banning the use of truck exhaust brakes in the Township. After discussion, Commissioners were asked to individually work on adding in every consideration they have for every aspect of the Ordinance, including:

- Paragraph (11) – consider requiring a hydrogeological study to determine if operations would negatively impact neighboring water wells. Consider inserting the entirety of the Section 8.01 E of the Lyndon Township Ordinance.
- Paragraphs (13) and (14):
 - require a performance bond to cover all aspects of the permitting, including reclamation of the site, site contamination clean-up, etc. Initially add language to require coverage of \$10,000 per acre anticipated to be mined.
 - require insurance, an irrevocable letter of credit, or some pertinent instrument to replace potable water wells negatively impacted by mining operations.
- Paragraph (15) and more: Clarify that a SLU permit is valid for five years, needs to be renewed or re-issued if allowed to expire. Perhaps have a timetable for Commission review prior to expiration. Renewal should include appearing and attesting to any changes in the operations verified by the Zoning Administrator, changes to the area expected to be mined, reclamation efforts, dust control efforts, noise abatement issues, estimated traffic, new areas expected to be mined, and verifying that financial sureties and insurances and other agency permits up are up to date.
- Paragraph (16): keep the concept but update the language. Replace \$1 M with \$5 M. See especially the Lyndon Township Exhibit A, page 16 of the forwarded document.
- Paragraph (17):
 - Zoning Administrator or Board designated person - the Annual Report should include: the owner/operator having provided the technical information and mapping needed for the report; any variations from the mining operations plan and the reclamation plan; violations and remediations performed; ensuring all insurances and financial instruments are up to date; any reports during the year by other entities; cooperation of the owner/operator with inspections and compliance (including serious consideration of specifying the conditions of the Lyndon

- Township ordinance, Sec. 8.01 A – F); on-site water management; and fuel containment and report of any spills.
- Definitions will need to be added for this use only.

Commission – Comm. Lazet will re-send a Word document of the current ordinance, Chair McNeilly will re-send an updated Word copy of the Lyndon Township Ordinance, and Commissioners are encouraged to add concepts to the existing ordinance, without focusing on actual language so much as principles.

VIII. Any Other Business

No other business was discussed.

IX. Additional Public Comment

There was no public comment.

X. Adjournment

There being no further business, the meeting was adjourned at 9:18 p.m.

John Lazet, Secretary