

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting
Wednesday, June 5, 2019
Vevay Township Hall – 6:30 p.m.

MINUTES

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

Member absent: Comm. Minster was excused by voice vote.

Other Persons present: Supervisor Ramey and Clerk Kean.

I. Call to Order: The meeting was called to order at 6:30 p.m. by Chair McNeilly.

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 of May 8, 2019

No amendments were offered.

MOTION Cady, seconded by Winters, to approve the May 8, 2019, regular meeting minutes.

CARRIED 6-0.

V. Brief Public Comment

There was no public comment.

VI. Reports

A. May 2019 Enforcement Report

Commissioners had received the Code Enforcement report, summarizing the 13 complaints received so far in 2019, indicating five complaints have been closed due to resolution or information being provided to the complainant. The eight pending complaints are in various stages of being addressed or remediated, and include: three concerning junk; two concerning trash on property and vehicle parking; metal roofing coming off of a barn; living in a camper and not the unlivable house; a non-compliant sign; and a complaint of marijuana odor.

B. April/May 2019 Building Report

Commissioners had received the Building/Enforcement report, summarizing the nine permits issued, including construction or installation of: a detached garage; three solar arrays; two pole barns (one for horses); a demolition in preparation for building a new house; a deck; and replacement of windows on a residence.

VII. Pending Business

1. Site Plan Review Request for a Pole Barn from Elhorn Engineering @ 889 Eden Road

Todd Luks and Stan Chubb were present on behalf of Elhorn Engineering.

Commission – explained the three needed changes on the site plan as noted in the May 8, 2019, minutes: listing the acreage of each proposed use, changing the height of the proposed building from 32 feet to 22.5 feet, and including the location of the septic tank/field.

Commission – discussed the non-conformity issue with section 3.09, Accessory Buildings and Structures. In subparagraph D-1(b), the building is required to be 400 feet from the residence on the front lot. The Commission cannot waive this requirement.

Elhorn Engineering - There is no other location on the property to construct the building due to existing use (loading area/maneuvering room for semi-trucks) and unbuildable wet land. On the buildable south side, the lot line itself is just over 400 feet, leaving no feasible space to construct a usable building.

Commission – had discussion on the 4,608 square footage of the proposed building as being over the allowed 3,200 square foot footprint limitation of Section 3.09 (E). Again, the Commission cannot waive this Ordinance requirement.

Legal Counsel noted that if the site plan is not approved, the applicant could go to the Zoning Board of Appeals for a variance on the location of the building, as outlined in Section 18.04. They could also request a variance on the square footage.

The Commission conducted a full review of the site plan on May 8, 2019, as noted in the minutes for that meeting, which determinations are incorporated by reference into tonight's decision. Based on that review, the applicant's three technical changes made tonight to fully comply with the site plan requirements as noted above, and predicated on the applicant being aware they would need the ZBA to grant variances to the proposal in order to continue the project as proposed:

MOTION Winters, seconded by Walker, that the site plan as amended June 5, 2019, be conditionally approved as it meets the requirements of Chapters 14 and 15, contingent upon the Zoning Board of Appeals granting the dimensional variance for structural placement of the building on the amended site plan.

CARRIED 6-0.

It was noted to the applicant that the proposed square footage would also need a variance from the ZBA. Otherwise, the building could only be up to 3,200 square foot.

2. Revised Draft Gravel Mining Ordinance

Commission – asked legal counsel to:

- Change the reference to the DEQ on page 5, (p.) as the state department has been re-organized as the Department of Environment, Great Lakes, and Energy (EGLE).
- Remove “blasting” from the definition of “Extractive” or “mining” or “operations” on page 2, letter “E.”.
- Capitalize “Trustees” on page 8, the fifth line down under “B.”.

Commissioners had voted on May 8, 2019, to revise the draft amendment, and to schedule a public hearing on June 5, 2019, on the draft amendment to the Zoning Ordinance. As the revised language was not available in time to meet the public notice requirement, the Commission:

MOTION Lewis, seconded by Winters, to rescind the May 8, 2019 motion setting a public hearing during the June 5, 2019 regularly scheduled Commission meeting; and to instead schedule a public hearing for the proposed amendment on the Zoning Ordinance addressing gravel mining to be held on July 10, 2019, during the regularly scheduled Commission meeting.

CARRIED 6-0.

3. Zoning Ordinance Possible Amendments

Solar arrays, Sec. 3.27 – Comm. Lewis updated the Commission on efforts to date, and focused on the Commission determining what the end result of screening should be. He noted how other accessory structures have completely different screening requirements, and recommended the Commission look at all screening with a unified concept of what is meant to be accomplished by screening. He will distribute a draft proposal of Sec. 3.27 with suggested amendments and deletions, to be discussed at a future meeting.

The Commission had discussion on general concepts of screening, such as blocking view and maintaining the rural character of the Township. Commissioners Walker and Winters will start looking at global screening in the Zoning Ordinance and recommend changes.

VIII. Any Other Business

Chair McNeilly – reviewed an upcoming educational workshop developed by the Michigan Association of Planning on “Planning and Zoning Essentials” to be held at the City of Mason City Hall on June 18, 2019, at 5:00 pm.

Legal Counsel – gave a brief overview of the upcoming June 10, 2019 public hearing on a proposed Ordinance to have the Township opt out of allowing commercial marijuana establishments to locate anywhere in the Township.

IX. Public Comment

A concerned resident gave an update on road work done on Tomlinson Road, and mentioned several dilapidated barns along Tomlinson Road, by the Tuttle Road intersection.

X. Adjournment

There being no further business, the meeting was adjourned at 8:52 p.m.

John Lazet, Secretary