

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting/Public Hearing
Wednesday, January 6, 2016
Vevay Township Hall – 7:00 p.m.

MINUTES

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

Member absent: None.

Other Persons present: Supervisor Jesse Ramey, Clerk JoAnne Kean, Legal Counsel David Revore, and State Representative Tom Cochrane.

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

Under “Pending Business”:

- the Master Plan review was moved from item “C.” to item “E.”
- the Consumers Energy SLU permit application was moved from item “D.” to item “C.”
- add a new item “D. Review of Proposed Commission By-Laws”

IV. Approval of Minutes: Regular Meeting December 9, 2015

The following amendments were adopted; amend:

- Page 2, “Reports”, the last paragraph that starts with “Comm. Walker”, first line after “proposed” by inserting “NSD LLC/Neil Sheridan”.
- Page 2, “Pending Business A. Election of Officers”, by changing the second motion to strike “Comm. Cady” and insert “Comm. McNeilly”, who was elected as vice-chair.

MOTION Walker, seconded by Cady, to approve the December 9, 2015 regular meeting minutes as amended.

CARRIED 7-0.

V. Brief Public Comment

There was no public comment.

VI. Recess to Public Hearings

- a. Amending current Special Land Use Permits Regarding Annual Review, Renewal Process and Fees

Mr. Revore – explained that the current practice and language in the SLU permits is for an annual review with an attendant fee. The proposal is to take the same approach as with new SLU permits by eliminating the annual review and attendant fee, but with the understanding that the Township always has the right to review the operations of any SLU permit holder at any time.

Chair Thayer – the Township received a phone call from Ms. Katheryn Meninga, and a letter from Mary Lou French, both expressing support for the proposal.

Cyndi Richey, 365 S. Every Road - asked about the annual fee amount and why the change?

Chair Thayer – its \$35 per year, and used to pay for the costs of administering the Zoning Ordinance. The change is due to Board of Trustee action to eliminate the annual review and fee for future SLU permits, and this proposal would apply that same policy to existing SLU permits.

Nick Smith, 1255 Ives Road – the annual review allows for public input on an annual basis. As he lives near a gravel mining operation, what happens if there is no more review? He would like to see the annual review remain for gravel mining operations.

Chair Thayer – just as the annual review currently allows for public comment, any resident can always contact the Township office with concerns about any SLU permit operations.

Mr. Revore – noted that the Zoning Administrator is still available to address concerns without having lesser complaints rise to the level of the Commission. The Township still wants to know of residents' concerns.

Tami Shaw, 1826 Shaw Road – isn't the fee being eliminated as it's not authorized in the Zoning Ordinance? Will these fees be refunded? **Chair Thayer** – the lack of authorization is correct. Any consideration of refunds would be a question for the Board of Trustees.

Steve Sowles, 1522 Barnes – asked why he received a letter about the SLU permit held by Diane Lechleitner. Clerk Kean - responded that as he owns property within 300 feet of her, he is required to be notified of any potential change in her SLU permit or operations.

John Vrabel –Capitol Airport Authority – had no comments on the proposal, but indicated he would like to work with the Commission on re-zoning the airport property to be more in line with zoning in other jurisdictions. He will talk with the Township at a later date.

VII. Adjournment of Public Hearing and Recommencement of Regular Meeting

There being no further public comment, the public hearing was adjourned at 7:19 pm and the regular meeting recommenced.

VIII. Reports

A. December 2015 AGS Building/Zoning Report

The written report indicated that there was one (1) building/zoning permit application, involving demolition of a house. Four authorizations to enforce the Ordinance are pending: response to a

blight violation is potentially leading to a court filing; a dangerous building remains in violation though an agreement has been reached to remediate the violations; and AGS has sent letters to two property owners who do not have building permits for their projects.

B. 2015 Yearly AGS Building/Zoning Report

AGS had prepared a summary of all of the 73 building/zoning permits requested for 2015, including name, address, type of construction or use sought, and for some of the applicants, the estimated project cost. All Commissioners had previously received a copy.

IX. Pending Business

A. Forward to Board of Trustees the Comments from the Public Hearing

COMMISSION – had discussion on the public comments received about the annual SLU permit review and the attendant fee. It was noted for the audience that the Township may still review any SLU permit operations at any time, and any change in the review schedule will not affect the basic process of consideration or issuance of future SLU permits.

MOTION McNeilly, seconded by Cady, that the Commission forward to the Board copies of the public comments received tonight with a recommendation that the process of the annual SLU permit review and the attendant fee be eliminated.

CARRIED 7-0.

B. Special Land Use Permit Application Request from Doug and Tami Shaw re: Social Event Venue

Tami Shaw – stated that they have applied for a SLU permit to allow social events on the farm.

MOTION Lazet, seconded by Walker, to set a public hearing during the regular February 3, 2016 Commission meeting to receive public comment on the SLU permit application from Doug and Tami Shaw re: allowing rental of an existing structure for social events.

CARRIED 7-0.

C. Consumers Energy: Special Land Use Application Request for Solar Farm (set Public Hearing)

Consumers Energy, represented by Nancy Popa – CE is requesting a SLU permit for construction of a solar farm on the west side of US 127, south of Kipp Road. This development would be a part of the CE solar gardens program, allowing customers to subscribe to this form of energy generation.

Comm. Lazet – commented that in addition to the requirements in the Zoning Ordinance, he will be asking about the on- and off-site transmission system after the public hearing in March.

MOTION Lazet, seconded by Uzzle, to set a public hearing during the regular March 9, 2016 Commission meeting to receive public comment on the SLU permit application from Consumers Energy to construct a solar farm.

CARRIED 7-0.

COMMISSION – discussed various aspects of the application, but later in the meeting and after the persons representing Consumers Energy had left. The main item discussed was how best to

compile all pertinent questions from Commissioners and obtain answers from Consumers Energy prior to the public hearing, if possible. It was decided that Commissioners should forward questions to Supervisor Ramey, not distribute questions to other Commissioners, and Supervisor Ramey will forward them to Consumers Energy.

D. Review of Proposed Commission By-Laws

COMMISSION – there was discussion on the DRAFT by-laws as modified by the Commission during the regular December 9, 2015 Commission meeting. Discussion included:

- adding citations of Vevay Township Ordinances.
- content of the required Annual Report to the Board.
- adding language to address closed meetings as allowed under the Open Meetings Act (new Section 6.5 and re-numbering the remaining sections).
- having the Agenda list of items of business mirror current practice.
- clarifying the process for special meetings.
- adding language to address public hearings (new section 6.11 and re-numbering the remaining sections).
- clarifying the declaration of a conflict of interest.
- adding a new Article 10 on Severability that uses the language from the Zoning Ordinance as modified to apply to the Commission.
- correcting typographical errors, grammatical issues, and other technical aspects of the draft.

The modifications are included in the appended DRAFT By-Laws document.

E. Review of Initial Draft Portions of the Master Plan (possible scheduling of special meeting)(Materials already distributed)

MOTION Cady, seconded by Walker, to schedule a special meeting to discuss the draft Master Plan documents already received on Wednesday, January 27, 2016, at 6:00 pm.

X. Any Other Business

No other business was discussed.

XI. Additional Public Comment

There was no additional public comment.

XII. Adjournment

There being no further business, the meeting was adjourned at 9:37 p.m.

John Lazet, Secretary