

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting
Wednesday, January 4, 2017
Vevay Township Hall – 7:00 p.m.

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

Under “Pending Business”, add item “C. Set public hearing on the proposed new Master Plan”.

IV. Approval of Minutes: Regular/Public Hearing Meeting 12-7-16

Page 1, under item “IV”, amend the motion by striking “as amended”.

Page 2, under item “VIII. A”, amend the first sentence as follows: “...and addressing an Ordinance violation, ~~which was the unpermitted addition of living quarters to a barn.~~”.

MOTION Minster, seconded by Cady, to approve the December 7, 2016 regular meeting/public hearing minutes as amended.

CARRIED 7-0.

V. Brief Public Comment

There was no public comment.

VI. Reports

A. 2016 Annual Report of the Planning Commission by Secretary John Lazet

Commissioners had a draft report, detailing the membership changes, meetings, special projects, and actions taken by the Commission during 2016. A copy is appended to these minutes.

MOTION Minster, seconded by Walker, to approve the 2016 Planning Commission Annual Report as submitted, and to forward it to the Township Board and office.

CARRIED 7-0.

B. December, 2016 AGS Building/Zoning Report

The written report indicated that there were four building/zoning permit actions, involving: a new home, two inspections at the same address, and a solar system installation. There were no outstanding authorizations to enforce the Zoning Ordinance.

C. Yearly AGS Building/Zoning Report

AGS had prepared a summary of all of the 54 building/zoning permits requested for 2016, including name, address, type of construction or use sought, and for some of the applicants, the estimated project cost. In summary, the permits included seven new homes, 14 pole barns, 11 new mobile homes in Mason Manor, four new decks, two fire reconstructions, and a variety of other permits. All Commissioners had previously received a copy.

VII. Pending Business

A. Zoning Ordinance Amendments

Mr. Revore – had prepared two memoranda outlining his thoughts on the matters assigned to him last month. One is a proposed amendment to Section 19.05, deleting references to the County Planning Commission. The other memorandum addresses possible changes to Sec. 16.05 and cancellation of a SLU permit. He advised that case law assumes the importance of due process for the holder of the SLU permit.

COMMISSION – had discussion on the possible cancellation of a SLU permit, and the impact on existing structures and features, associated site plans, and potential for blight in extreme cases. Mr. Revore advised that general law building and property maintenance ordinances would normally cover abandoned or unused structures, which would also allow the Township to remediate blight and place the costs on the tax roll. Supervisor Ramey – stated that he is working on this matter with AGS. Mr. Revore - will prepare draft language for consideration at a future Commission meeting.

Chapter 14 – Site Plan Review:

Comm. Lazet – had previously offered to ~~propose~~ *propose* revisions to the list of site plan (revised 2-8-17) requirements in Sec. 14.03. He noted that in looking over the Tables, he recommends looking at possible revisions to the entire Chapter, as the various Sections affect each other. He referred to two key principles already in the Chapter that he recommended guide Commission review of the Chapter:

- “The purpose of this Chapter is to provide for consultation and cooperation between the applicant and the Planning Commission...” – Sec. 14.01
- “The Planning Commission shall advise the applicant as to the general acceptability of the proposed plan, but shall not be bound by any statements or indications of acceptance of the plan.” – Sec. 14.02 (A) (2).

He then asked Commissioners for their input on major elements of the Chapter:

Duties of the Zoning Administrator (ZA): cover three major areas – (1) the initial review of a site plan, (2) approving minor changes to an approved site plan, and (3) enforcement of progress

of development on a parcel, ensuring compliance and completion. COMMISSION – had lengthy discussion on the role played by AGS as opposed to that of the in-house ZA when the Ordinance

was adopted. The Chapter grants significant authority to the ZA, with wide latitude as to approach and outcomes. The Commission’s experience with recent site plan reviews was discussed, with the role of the ZA and the Commission being considered. Comm. Lazet – given that the current language was predicated on a resident ZA, which is no longer the case for the Township, recommended four possible approaches to reviewing and overseeing site plans: (1) have AGS perform all of the duties as currently enacted; (2) have the full Commission perform more or all of the listed ZA responsibilities; (3) have the Commission Chair appoint a committee under the by-laws to work with applicants on submitting a site plan; and (4) assign the ZA duties to a Township elected official or staff member. A combination of the above approaches could be utilized. Supervisor Ramey – offered to talk with the Board of Trustees about the budgetary implications of each of these modes of supervisory oversight.

Comm. Lazet – recommended that the allowance for a preliminary site plan be eliminated, and revise the Chapter language and the list of site plan requirements accordingly. He suggested first deciding what information the Township wants in a site plan, and why. The current lists of requirements could then be revised accordingly. COMMISSION – had discussion on how best to work with an applicant to ensure required information and materials are prepared in a timely manner; and worked part-way through the current list of required information, with suggestions to Comm. Lazet for changes to incorporate into a draft. Mr. Revore – offered to provide the Township with a Word copy of the Ordinance to facilitate Commission thoughts on language.

Comm. Lazet – recommended wording to clearly require incorporating into the narrative documents information shown or detailed in the site plan. He also recommended that site plans include the location and source of potentially problematic outputs, such as noise, odors, smoke, and traffic.

Chair Thayer – added to the list of potential Ordinance amendments on Section 16.06(I), gravel mining: (1) clarify that three plans are needed: a site plan, a mining plan, and a reclamation plan; and (2) in subsection (9) there needs to be more detail on crushing operations. COMMISSION – noted that subsection (2) appears to essentially be the mining plan, and could be a starting point for language improvements.

- B. Set Public Hearing for Re-zoning Petition by Steve Hanks Trust @ Hull Road, Mason Parcel #33-10-10-28-100-033 from A-1 to M-1

Commissioners had previously received copies of the petition and various pertinent documents.

Mr. Steve Hanks – is a classic and antique automobile dealer, and is looking to possibly have a restoration and repair operation. He purchased the property with this in mind.

MOTION Walker, seconded by McNeilly, to schedule a public hearing during the regular February 8, 2017 Commission meeting to consider the re-zoning request, if the appropriate paperwork and publication deadlines can be met; and, if more time is needed for the petition process, then to schedule a public hearing during the regular March 8, 2017, Commission meeting.

CARRIED 7-0.

C. Set public hearing on the proposed new Master Plan

Comm. Lazet – reported that the Plan was mailed/emailed on December 1, and Mr. Eidelson advises that the public comment period would close about February 10. To date, no comments have been received. Mr. Eidelson is available to attend the Commission meeting on March 8.

**MOTION Cady, seconded by Walker, to set a public hearing for the proposed new Master Plan during the regular Commission meeting on March 8, 2017, starting at 7:00 pm.
CARRIED 7-0.**

VIII. Any Other Business

No other business was discussed.

IX. Additional Public Comment

There was no public comment.

XII. Adjournment

There being no further business, the meeting was adjourned at 9:07 p.m.

John Lazet, Secretary

2016 ANNUAL REPORT OF THE VEVAY TOWNSHIP PLANNING COMMISSION

During 2016 the Planning Commission conducted the following:

MEMBERSHIP: Wayne Uzzle resigned for personal reasons; Richard Lacasse resigned due to his election as a Trustee; John Lazet became the Board of Trustees liaison; Bruce Walker, Al Winter, and Jim Minster were appointed as citizen members.

MEETINGS: Held twelve (12) regular monthly meetings. Four (4) special meetings were held to focus on the Master Plan Review, possible Zoning Ordinance amendments, and the Consumers Energy Solar Garden project.

ZONING ORDINANCE ACTIVITY: Considered the monthly zoning administrator report summaries prepared by the Supervisor and the Office Secretary.

PUBLIC HEARINGS: Eleven public hearings were conducted, relating to:

- Five proposed Zoning Ordinance amendments to:
 - Allow on-premises Class 2 signs, or billboards (July).
 - re-zone three parcels in Section 16 - one to Highway Service (March), and two to Industrial (June and December); and re-zone six parcels from R-M to A-1 or R-1B due to lack of activity on conditional re-zonings from 2007 (November).
- Four SLU permit applications: one for barn rental (February), one for a solar garden (May), one for an in-home beauty salon business (August) and one for gravel mining (August).
- Two Township process matters: one to recommend to the Board the elimination of annual SLU permit reviews (January), and one to adopt Commission by-laws (February).

SPECIAL PROJECTS:

- Continued the required 5-year review of the Master Plan: During 5 regular meetings and 2 dedicated special meetings, the entire Master Plan was discussed as to issues, possible language changes, maps and technical data. Upon completion of the draft, the Board of Trustees was asked for authorization to distribute the Plan, which happened in November and December.
- General Review of Zoning Ordinance amendments based on issues before the Commission, and upon Commissioners' recommendations. A list of topics was compiled during the regular meetings, and Commission focus started on October 4 by reviewing 14 issues.

SLU PERMIT APPLICATIONS AND SITE PLAN APPROVALS – four applications were received, plus one revised site plan. After public hearings and review, the Commission:

- recommended denial of a barn rental proposal as this is not authorized by the Ordinance, and a court order prohibits building rental on this property (February, no site plan approval).
- approved the revised site plan for Mid-Michigan Snow Equipment, new building (April 20 special meeting).
- recommended Board approval of the CE solar garden (June, site plan approved in May).
- tabled action on a SLU permit application for gravel mining as the submitted materials were substantially out of compliance with the Ordinance (August, no site plan approval).
- recommended Board approval of an in-home beauty salon (September, site plan approved same meeting).